

Letter to Director

49-10

The American Committee for the Protection
of Foreign Born;
National Council of Arts and Sciences;
American Slav Congress;
National Conference on American Policy in
China and Far East;
Civil Rights Congress;
Friends of the Soviet Union;
American Russian Institute;
American League for Peace and Democracy.

Senator McCARTHY closed his testimony of Professor SCHUEMAN by stating that the most casual survey indicates that SCHUEMAN is not a card-holding member of the Communist Party, but the difference is so slight that it makes no difference.

Senator McCARTHY then advised the Committee that he was not going to present any additional cases for the day and then submitted to the Chairman a list of 25 names which requires further investigation. He advised that all the individuals are either in the state Department or in closely related agencies and all have been investigated by the Federal Bureau of Investigation; that such investigation disclosed information which, according to ACHESON'S own yardstick of loyalty, would stamp any, if not all of them as being bad security risks. He further stated that none of the names covered cases which he originally presented on the Senate floor.

There is enclosed herewith the text of the statement to the Committee by Senator McCARTHY concerning the 25 names furnished.

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121-23-46

Office Memorandum • UNITED STATES GOVERNMENT

DATE: March 14, 1950

TO : DIRECTOR, FBI

FROM : GUY HOTTEL, SAC, Washington Field

SUBJECT: COMMUNISTS IN THE STATE DEPARTMENT
(TESTIMONY BY SENATOR JOSEPH R. McCARTHY)
LGE

Mr. Tolson	_____
Mr. Ladd	_____
Mr. Clegg	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Harbo	_____
Mr. Belmont	_____
Mr. Mohr	_____
Tele. Room	_____
Mr. Nease	_____
Miss Gandy	_____

Attention: Assistant Director D. M. LADD

In accordance with the verbal instructions of Assistant Director D. M. LADD to Special Agent in Charge GUY HOTTEL on March 7, 1950, Special Agents KENNETH D. ANENSON and WILLIAM J. McGRATH, JR., attended a hearing held by the Subcommittee of the Senate Foreign Relations Committee in the Caucus Room, Senate Office Building, on March 14, 1950.

Prior to Senator McCARTHY testifying, Senator TYDINGS announced that the Chief Counsel for the Committee was EDWARD P. MORGAN, who was formerly an Agent of the Federal Bureau of Investigation, Assistant Agent in Charge of Federal Bureau of Investigation Field Offices, and Special Agent in Charge of Federal Bureau of Investigation Field Offices following which he had been made Chief Inspector at headquarters of the Federal Bureau of Investigation in Washington, D. C. He advised that MR. MORGAN had made a special study of Communists and Fascists and had lectured to police all over the world regarding this subject. He advised that MR. MORGAN was no longer affiliated with the Federal Bureau of Investigation and was presently a member of a law firm in Washington, D. C.

Testimony before the Committee was opened by Senator McCARTHY, in which he presented the name of GUSTAVO DURAN. Senator McCARTHY stated that this individual was employed by the State Department and voluntarily resigned on October 4, 1946. Following his resignation, he was employed by the United Nations and at the present time, Senator McCARTHY advised he was informed DURAN was with I.R.O. at the United Nations.

Senator McCARTHY then proceeded to give considerable background information concerning DURAN, which included his activities in Spain, at which time he was an officer in the Spanish S.I.M. which was the Spanish counterpart of the Russian NKVD or OGPO. he presented the committee a picture of DURAN in the uniform of this organization. Senator McCARTHY also furnished the Committee

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intelligence reports from an unnamed agency. As an exhibit to the Committee, he furnished letters from the Military Attache at the American Embassy, Madrid, Spain; letters from JAMES F. BYRNES, Secretary of State, to Senator KENNETH S. WHERRY; and a letter from DONALD RUSSELL, Assistant Secretary of State, to Senator WHERRY. He also furnished the Committee a memorandum which was captioned "For the Military Attache at Havana" and signed SPRUILLE BRADEN. He also furnished a report from the Assistant U. S. Military Attache in the Dominican Republic and an excerpt from the book, "Why and How I Left Defense Ministry in the Intrigue of Russia and Spain," by INDALICIO PRIETO, former Minister of Defense for the Spanish Republic cause. All of these documents were to show DURAN'S background as a Communist.

There is enclosed herewith the complete text of testimony by Senator McCARTHY to the Subcommittee, together with the aforementioned exhibits concerning GUSTAVO DURAN.

Senator McCARTHY then proceeded with his next case and furnished the name of DR. HARLOW SHAPLEY, a member of the U. S. National Commission for UNESCO, one of the organizations of the United Nations. He advised that DR. SHAPLEY had participated in the Soviet Peace Conference and that his record with Communist fronts is a long and interesting one.

There is enclosed herewith the complete text of testimony furnished by Senator McCARTHY to the Subcommittee.

Callan
Senator McCARTHY then proceeded with his next case and furnished the Committee with the name of an individual which was not made public. He advised that Secretary ACHESON had stated that sex perverts are considered to be poor security risks and that this case involved a person who had been employed by the State Department Foreign Service until 1948, when he resigned. He stated that this individual had a record with the Metropolitan Police Department as a pervert, that he was known to have been a hanger out at Lafayette Park in Washington, D. C.; and that during September 1943, was arrested as a pervert, at which time he elected to forfeit \$25.00. Senator McCARTHY advised that this individual is now employed by CIA, receiving from \$10,000.00 to \$12,000.00 per annum.

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The text of information as presented to the Committee could not be obtained at this time.

Senator McCARTHY proceeded with his next case and furnished the name of JOHN STEWART SERVICE, who is a Foreign Service Officer of the Department of State and presently in Calcutta, India. Senator McCARTHY then proceeded to furnish the Committee considerable background information concerning SERVICE and spent a great deal of time covering the arrest of PHILIP J. JAFFE and others who were arrested by the Federal Bureau of Investigation on June 6, 1945. Senator McCARTHY stated that the Grand Jury which failed to indict SERVICE in this case, was investigated by the House Committee which reported that they would not take any action against the Grand Jury due to the fact that documents which were necessary for prosecution could not be relied upon as evidence due to the fact that it was believed if these were offered in evidence, that a motion by the defense to suppress them would be sustained due to the manner in which the documents were obtained by the Federal Bureau of Investigation. The suppression of these documents would hinge on the defendants attacking the warrants of arrest.

There is enclosed herewith the complete text of the testimony by Senator McCARTHY to the Subcommittee concerning JOHN STEWART SERVICE.

Enclosed
Senator McCARTHY then proceeded with his next case and furnished the name of Professor FREDERICK L. SCHUMAN, who is presently employed at Williams College. He advised that Professor SCHUMAN is a lecturer at the State Department where he gives lectures at this school for new Foreign Service employees. He also advised that Professor SCHUMAN is a Consultant whose services are utilized as an expert on Far Eastern affairs. He stated that Professor SCHUMAN is undoubtedly not on the pay roll today but may be at any time that his services are necessary. He identified Professor SCHUMAN as being active in numerous front organizations as sponsor, member or affiliated with them. He also advised that Professor SCHUMAN was considered to be one of the untouchables at the State Department who determined, forced through and carried out the policies of the State Department.

Among the organizations which he stated that Professor SCHUMAN was a sponsor, member or affiliate, were the following:

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

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Enclosure

(Gustavo Duran)

The Committee will recall that the name of Gustavo Duran was first mentioned by me as a possible bad security risk in a speech which I made in Reno, Nevada.

At that time I said: "Now, Let's see what happens when individuals with Communist connections are forced out of the State Department. Gustavo Duran, who was labeled as (I quote) 'a notorious international Communist,' was made assistant to the Assistant Secretary of State in charge of Latin American affairs. He was taken into the State Department from his job as a lieutenant colonel in the Communist International Brigade. Finally, after intense congressional pressure and criticism, he resigned in 1946 from the State Department -- and ladies and gentlemen, where do you think he is now? He took over a high-salaried job as Chief of Cultural Activities Section in the Office of the Assistant Secretary General of the United Nations."

This statement was promptly ridiculed by the Secretary of State who -- through Mr. Peurifoy -- merely said that this man Duran was no longer an employee of the State Department, but had been in the auxiliary foreign service from January, 1943 until September, 1945, and thereafter until October 4, 1946, in the Department. Mr. Peurifoy added that Duran had voluntarily resigned from the State Department on October 4, 1946.

One of the important facts that the Secretary overlooked in making this press release is that this man is still, as of today, a high salaried official in the United Nations. On March 8th my office phoned the office

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of Trygvie Lie to find out exactly what type of work he was doing.
My office was advised that information could not be given to me.
The State Department advised me that Duran is now Chief of the
Cultural Activities Section of the Department of Social Affairs, United
Nations.

I was surprised to find that the Permanent Secretary of the
United Nations felt he could not give to a United States Senator the
information as to what this man was doing. However, since that time
I have had the matter checked in New York and am informed he is
actually with the International Refugee Organization, engaged in work
having to do with screening refugees coming into this country.
The Financial contribution which the United

MORE

States makes toward the running of this United Nations' agency amount to 45.57 percent. (Senate Report 1274, 81st Congress, 2nd Session, Committee on Expenditures in the Executive Departments, prepared by Subcommittee on Relations with International Organizations.)

At the time that Acheson's man attempted to ridicule my statement, he either did not know the facts in the case or he was covering up the information which is in the files and which should have been known to him.

This information, which I shall document for the committee, was known or was available to the State Department. It shows that Duran was (1) well-known for his rabid Communist beliefs and activities, (2) that he

was active in secret Soviet operations in the Spanish ^{Republican} ~~Republic~~ Army, (3) that a highly confidential report was sent to the State Department by the Military Attache at the American Embassy in Madrid which according to all existing rules called for Duran's immediate dismissal — unless the facts were proven to be wrong. Originally, to I understand it was claimed that this was a case of mistaken identity. That claim, I believe, has been subsequently dropped in view of the fact that our intelligence produced pictures of him in the uniform that he wore at the time he was the regional head of S.I.M., which was the Spanish Counterpart of the Russian NKVD or OGPU. I now hand the committee one of those pictures.

✓ At the time this intelligence report reached the State Department, Duran was a highly placed official in a confidential capacity with the State Department in South America.

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When the American people read the carefully prepared statement put out by the Secretary of State's office in regard to the Duran statement, they were entitled to rely upon it as being the truth. Unfortunately, anyone who believed that statement got a completely erroneous impression of the actual facts.

Whichever way you wish to interpret this situation I submit to the Committee that it is typical of the carelessness of the top executives of the State Department of this country. The situation I have just discussed is typical of the type of news releases emanating from the State Department; it is typical of the half truths we hear in answer to the information which I have been developing in regard to the bad security risks in that department.

I now submit to the committee the Intelligence Report just referred to in its entirety. It will be noted the State Department received a copy of it. There are certain matters discussed in this report which I do not feel should be made public until the committee has had a chance to thoroughly look into them. I have, therefore, deleted those sections from the copies being handed to the press and will not read them into the record at this time. The entire report, however, with nothing deleted is being handed to each of the members of the committee.

EXHIBIT A-2

B.I.D. No. 7232

Report No. R-290/46

~~CONFIDENTIAL~~

INTELLIGENCE REPORT

For general use by any U. S. Intelligence Agency

From: Military Attache, American Embassy, Madrid, Spain June 4, 1946

Source: Spanish Army Central General Staff B-3

Area Reported On Spain

Who's Who Gustavo DURAN

Following is the report given the Military Attache by the A.C. of S., Spanish Central General Staff, After the M/A asked whether DURAN was known: b7D

1. "Gustavo DURAN came to Madrid for the first time in the nineteen twenties from the Canary Island, in the company of another Canarian, a painter called Nestor, who was registered by the Spanish police for the same reasons as Duran *****. As a friend of Nestor, Gustavo Duran became employed as a pianist in the company of ~~that capacity at "La Resonancia" and went to Berlin to participate in~~ caused him to incur the fury of the Berlin police, which finally ousted him from Germany.
2. "Similar trouble happened to him in other European capitals. His *****grew to the limit in Paris, which was the preferred center for his activities some years before the advent of the Spanish Republic in 1931, while he was under the protection of his friend Nestor, the painter, who was well known in certain Parisian quarters. About that time the Soviets entrusted Gustavo Duran with some missions and finally appointed him their agent..
3. "Upon the proclamation of the Spanish Republic, the "Porcelana" (as he was nicknamed) returned to Madrid. His identity papers indicated that he was the representative of the Paramount Film Co. However, his true mission was service of the G.P.U. Duran was greatly successful in his activities due to the political protection he enjoyed. He soon became one of the leading members of the Youths of the Communist Party and greatly contributed to the merger of the Communist Youths with the youths of the Spanish Labor Party, thus giving birth to the J.S.U. ("Juventudes Socialistas Unificadas"-United Socialist Youths), of fatful remembrance, since this organization committed the most cold-blooded crimes before 18 July 1936 (date of the military uprising) and during the red revolution which ensued.
4. "During the republican regime (1931-1936) Duran continued practising his *****. Together with other "close" friends of his and some young pro-communist poets, among whom Alberty was noted, Duran succeeded in becoming notorious. All them were his tools and all them were made into active communists. In Duran's home located ***** such meetings took place that the police had to interfere frequently, thus giving occasion to ~~complete his record as~~ ***** in the files of the General Directorate of Security. This record as ***** was probably removed by his friend Serrano Poncela, who was the Chief of the "Red" Police during the months of October and November, 1936, in Madrid and political reporter of "Mundo Obrero" (a communist newspaper) and Chief of the J.S.U. Duran's release from his frequent imprisonments for ***** conduct was due to his powerful political protectors, who blindly obeyed orders from the Soviet political police.
5. "Upon the national uprising (beginning of Civil War) Gustavo Duran took over the nearest convent to his house, called "las Siervas de Maria", located at the old Chamberi Plaza. He was there the "responsable", or chief. He was afflicted there with typhoid fever during the month of August, 1936.

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The "Causo General" (General Judicial Proceedings) has information about the crimes perpetrated by the militia under the command of Duran's "choca" (illegal prison). He was one of the principal leaders of the popular militia created by the communists. He was a personal friend of Lister and Modesto (commanders of red brigades, now Generals in the Russian Army) and soon became captain, major and lieutenant colonel of the "Red" Army. He belonged to the General staff of the "Red" forces which directed the "brilliant" withdrawals of Talavera de la Reina, Maqueda, Toledo, etc.

6. "When the international brigades were brought into the Madrid and Aranjuez fronts, Gustavo Duran formed part of the High Russian General Staff, with headquarters at Tarancon and its vicinity, where they left sad and hideous recollections."

7. "After Tarancon we (the Spanish Intelligence Service) lost track of Duran. It appears that he went to Moscow with a delegation of male and female members of the "Red" Army. It appears that later he was for some time in Paris."

8. "And now he is in Washington as a collaborator of Spruille Braden, Chief of a Section of the State Department."

9. M.A. Comment: A very reliable Spaniard who is anti-Franco in sympathies but is middle of the road republican and extremely pro-U.S. and democratic in his views states that he knows personally that DURAN as commander officer of an international brigade in a small town not far from Madrid ordered the execution of the town electrician and another man who was a mason, neither of whom has committed any act for which they should have suffered this execution.

1332 WENDELL G. JOHNSON
Colonel, G.S.C.
Military Attache

The Honorable Kenneth S. Wherry wrote to the State Department on August 2, 1946, demanding the immediate discharge of Duran.

I now submit this letter as my exhibit - marked Exhibit B-2.

EXHIBIT B-2 FOLLOWS ON NEXT PAGE

EXHIBIT B - 2

August 2, 1946

The Honorable James F. Byrnes
Secretary of State
Washington, D. C.

Dear Secretary:

As a member of the Appropriations Committee, on April 18, 1946, I asked for investigation of certain persons holding positions of trust and responsibility in your Department.

It was my purpose then and is now to withhold appropriations that finance the salaries and activities of anyone in the State Department whose allegiance apparently is to some other country rather than to the United States.

You will recall, Mr. Secretary, that when you appeared I questioned you about some of these officials and among them was a Gustavo Duran. This was just prior to the Carter Glass funeral. At that time you stated there was a question of identity of Gustavo Duran. You stated further an investigation had revealed that he was some other person than the man in the State Department, who has been an assistant to Spruille Braden.

It has now come to my knowledge there exists an extensive military intelligence report on this man, Gustavo Duran, and I am reliably informed that several copies of this report have been delivered to the State Department.

I am now making this formal request upon you in my official capacity as a United States Senator, and as a member of the State Department Sub-Committee on Appropriations, that on the basis of this report you immediately discharge Gustavo Duran.

Cordially yours,

KENNETH S. WHERRY

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After Senator Wherry wrote this letter to the State Department, demanding the immediate discharge of Duran, he received on September 14, 1946, the following letter from Mr. Donald Russell, the Assistant Secretary of State:

ASSISTANT SECRETARY OF STATE
WASHINGTON

September 14, 1946

My dear Senator:

I am in receipt of your recent inquiry about the security investigation by the Department of Mr. Gustavo Duran. As you know, the Department has a Security Committee which confines itself to reviewing security investigations and to making recommendations based thereon. Of course, this committee has nothing to do with reviewing the qualifications or competency of the person reviewed for a position in the Department other than as security is involved. I have added this because from our conversation I would assume that you seriously question the qualifications of Mr. Duran for employment, as distinguished from security consideration. That phase of Mr. Duran's employment is not within the scope of the Security Committee.

After reviewing the entire record on Mr. Duran as procured from all available sources, the Security Committee recommended favorably on Mr. Duran. I have carefully gone over the record before the Security Committee and I have approved their recommendation.

While I recognize that the above conclusions are at variance with your own feelings, I have to do my duty as I see it and I hope that you will recognize that I have attempted to exercise my judgment faithfully and honestly.

With best wishes, I am

Sincerely yours,

(s) Donald Russell

The Honorable
Kenneth S. Wherry
United States Senate

When Mr. Russell wrote this letter on September 4, 1946, he had in his files the top secret report from the Military Attache in Madrid, which I have already referred to, outlining in detail the facts I have given on Duran.

What was the mysterious power in the possession of Duran that enabled him to continue to serve as a confidential assistant to Spruille Braden, the then head of the State Department's South American affairs?

Why was this man permitted voluntarily to resign in the face of these grave charges?

Mr. Duran obviously had powerful friends and one of his greatest champions was his immediate chief, Spruille Braden.

I now show the Committee Exhibit D-2, which is a copy of a letter marked "secret" and dated December 21, 1943, in Havana.

EXHIBIT D-2

Habana, December 21, 1943

Memorandum for the Military Attache:

Mr. Gustavo Duran was recommended to me in the first instance by a friend of unimpeachable patriotism and integrity. He was recommended for a specific objective requiring a person of highly specialized qualifications; his duties were to be concerned with protecting United States interests through confidential surveillance over Falangist activities in Cuba.

As to Mr. Duran's background, he is a naturalized American citizen born and educated in Spain. He is of good family, and in his youth was particularly interested in the arts. When the Spanish civil war began in July, 1936, he gave up everything to fight on the side of the Loyalists and from a somewhat dilettante but brilliant young man, turned into a vital force for the Republican cause. His military record was reportedly brilliant. He was further described to me as being a man whose hatred for the Fascists, and his deep devotion to liberal principles, are not open to debate. A close association with him during a period of over a year fully support this description.

Mr. Duran arrived in Habana in November 1942 on the payroll of the Pan American Union and was to transfer to the staff of the C.I.A.A. on February 1, 1943. Instead, I urgently recommended his employment as an Auxiliary Foreign Service Officer in a telegram from which I quote the following:

"I regard Duran as eminently qualified for the work he is performing and I have the highest estimation for his intelligence and character as well as for his complete loyalty and discretion. He has already proven of very great value to this Embassy and I anticipate that his usefulness will increase as he becomes more familiar with conditions in Cuba. I consider that his continuance here is particularly desirable at the present time when our relations with Spain are of such vital importance."

✓ Mr. Duran has now served as one of my immediate associates for more than a year. His work has been excellent and outstandingly useful to the United States government. From my personal knowledge based on close association, Mr. Duran is not a Communist but a liberal of the highest type. I consider him an unusually worthy, patriotic and honorable American citizen, who shows great promise as a United States Government official capable of high responsibility.

Spruille Braden

Mr. Braden describes Mr. Duran as one recommended to him by a friend of unimpeachable integrity.

He set forth in his letter that Duran was a naturalized citizen, born and educated in Spain, of good family and in his youth was particularly "interested in the arts". Braden said that from 1936 Duran gave up everything to fight on the side of the Spanish Loyalists and said he "urgently recommended his employment as an Auxiliary Foreign Service officer".

Following Senator Wherry's letter to the State Department of August, 1946, in which the Senator maintained that this man was such a bad security risk that he should be discharged, we find that he was permitted to resign on October 4, 1946.

In view of the grave charges made by Senator Wherry and the unusual attitude of the State Department in permitting this man's resignation, it would be interesting to know what, if any, investigation was made by State Department officials as to his conduct while in a responsible, confidential capacity in the Department.

But Duran's friends in the State Department did not turn their backs on him.

After his resignation, Duran almost immediately was employed as a representative of the International Refugee Organization of the United Nations. He was employed there as of yesterday.

I have received a confidential report that Duran was recommended for his U.N. position by a member of the present Presidential Cabinet. It has also been reported to me that Duran is the brother-in-law of

Michael Straight, the owner and publisher of a pro-Communist magazine called the "New Republic".

Here again it is certainly pertinent to inquire where this man got his power, what he did while in the State Department and, possibly, of equal importance, is what he did not do.

To complete this picture, I attach hereto copies of the following documents:

- (1) Report from Edward J. Ruff, Assistant U. S. Military .
Attache in the Dominican Republic, addressed to the American Intelligence Service dated December 30, 1943 marked Exhibit E-2.
- (2) Excerpt from the book, "Why and How I Left Defense Ministry in the Intrigue of Russia in Spain," by Idalicio Prieto, former Minister of Defense for the Spanish Republican cause, marked Exhibit C-2.
- (3) A list of reference material for the committee's use in further checking into the background and activities of this man who is now with IRO, screening refugees coming into the United States.

EXHIBIT E-2

Report from Edward J. Ruff, Assistant U. S. Military Attache in the Dominican Republic, addressed to the American Intelligence Service.

"I want to take this opportunity to clarify my position in connection with Report No. 428, dated 13 December, 1943; Subject: Gustavo DURAN, Alleged Communist Employee of the C.I.A.A., Havana. As you know, this office received a cable from the Military Attache, Havana, requesting that dissemination of this report to be held up on the grounds that it was 'absolutely incorrect'. A few days ago we received letter No. 7967 from Lt. Col. Brown, written by Ambassador Braden concerning this individual. Both these communications corroborated information which we had regarding Duran and I cannot see on the basis of these reports how our report can be branded as 'absolutely incorrect'. Our only statement in the report on Duran is that he was a member of the Communist Party in Spain. From further reports received, this information can now be evaluated as A-1. For your own knowledge, the information on Duran was submitted by a Spanish refugee who also served as a Lt. Colonel in the Spanish Republican Army and had served on Duran's promotion board in Spain, which board was charged with considering recommendations for promotion of Spanish Republican Officers. As our source was actually sitting on the Board at the time that Duran's recommendation for promotion came through, he himself saw all Duran's papers and letters of recommendation, and had access to complete information regarding Duran's background.

He states, dogmatically, that the records showed Duran to be a member of the Spanish Communist Party. Our source had previously made available to us the information agreeing with that sent to us by Military Attache, Havana, except the statement that Duran entered the Army as a private. According to our Agent, Duran was commissioned directly from civilian life and given the rank of Major in the Militia. Later when the Militia became part of the Spanish Republican Army, he was made a Major in the Army. The only additional information we had, and which we did not mention in the report as it was not believed pertinent, was the reported fact that Duran is a homosexual. I do not question Duran's interest in the arts, his culture or intelligence. However, we only stated in our report that Duran was a member of the Communist Party, and that we did not know whether he is still a member of the Communist Party. I, myself, am convinced that Duran was a Communist and consider Ambassador Braden's statement that he is a "liberal of the highest type" to be a euphemism. Under the circumstances, I believed the reliability of our report still remains as originally submitted.

The Ambassador here is inclined to concur in my report on Duran, but has asked that no further official correspondence on the subject be sent up. Hence this personal letter from me.

Sincerely,

EDWARD J. RUFF
1st. Lt., A.G.D.
Assistant Military Attache"

EXHIBIT "C"-2

Excerpt from the book, "Why and How I left Defense Ministry in the Intrigue of Russia in Spain," by Indalicio Prieto, former Minister of Defense for the Spanish Republic cause.

"It is true that I have had certain incidents with the Russians. Certain Russian technicians proposed to me in Valencia, that a service of Military Investigations should be created. This was the Spanish counterpart of the NKVD. I confess that I opposed the project. But because of insistent pressure, I created the S.I.M. I was especially concerned with choosing a chief, until I gave it to an intimate friend of mine, who had just come from France, where he was with his family. In entrusting him with the task, I gave him these instructions:

'You are going to form the S.I.M., carefully, with elements of all groups of the Popular Front. Your only charges will be these two: Do not permit the new organization to be converted into an instrument of the Communists and do not permit Russian technicians to gain control. Listen to the advice of these technicians and follow their orientations, which can be very useful to you, but control must always be in your hands and in that of the Government, and of no one else.'

"I showed little tact in the selection of that comrade. A Republican named Sayagues came in fact to be the chief of S.I.M. Regional chiefs of the S.I.M. were designated and they proposed to me a certain Gustavo Duran for the Madrid zone. It was not concealed from me that the person proposed was a Communist (Duran). I knew this, but in spite of that, he was appointed by me. In the decree creating the S.I.M. of August 1937 - a decree which I myself drew up, because I did not wish to follow in a slavish manner the project which was handed me -- there is an article by virtue of which the appointment of all agents of the S.I.M. rests exclusive with the Minister of National Defense. This was a guarantee which temporarily I wish to establish. No one could be an agent of the S.I.M. who was not in possession of the memorandum book which bore duplicate the signature of the minister. Duran having been appointed chief of the demarcation of the army of the center, of his own accord and without power to do so, appointed the agents who were under his orders, which to the number of some hundreds, were Communists and only four or five were Socialists. I faced an intolerable situation, wherefore alleging, and with reason, that I lacked commanders in the army. I ordered that all military chiefs who were not in particular positions in the army should return to their former positions and thus Major Duran had to return to his military function. Because of Duran's leaving the S.I.M. I received a visit from a Russian technician, of these services, who said to me:

'RUSSIAN AGENT. I have come to speak to you about the dismissal of Duran. What happened?

'PRIETO. Nothing special, I lacked commanders in the army and ordered Duran to return to it.

'RUSSIAN AGENT. No. You discharged him because he appointed Communists as agents in Madrid.

'PRIETO. That is also sufficient reason, because Duran absolutely lacked authority to make appointments.

'RUSSIAN AGENT. Why did he not have the power to appoint agents?

'PRIETO. Because by virtue of the decree creating the S.I.M. that power is reserved exclusively to the Minister.'

"I read the decree and before the evidence of my statement my visitor alleged:

'RUSSIAN AGENT. Duran could make temporary appointments.

'PRIETO. Neither actual nor temporary. Here in Spain, moreover, the temporary is converted into the definitive.

'RUSSIAN AGENT. Be that as it may, I come to ask you to immediately restore Major Duran as chief of the S.I.M. in Madrid.

'PRIETO. I am very sorry, but I cannot consent.

'RUSSIAN AGENT. If you do not consent to restore Duran, my relations with you are broken.

'PRIETO. I am sorry, but Major Duran will go to the front of his division and will not return to the S.I.M. Your attitude is unjustified and I cannot yield to it.'

"I did not yield as a matter of fact, and my relations with the Russian technician, through his own wish, were absolutely cut off. I have not seen him since that scene."

The next case I will discuss is that of Dr. Harlow Shapley, a member of the U. S. National Commission for UNESCO, one of the organizations of the United Nations.

In my Lincoln Day speech I stated that Dr. Shapley was prominent in the affairs of the Scientific and Cultural Conference for World Peace which gathered in New York City in March 1949. That organization, as you know, and as I stated in my speech, was nothing more than a Soviet-Communist meeting for the purpose of discrediting this nation's fight against communism in Europe and elsewhere.

Mr. Acheson himself denounced this "peace" conference as -- "a sounding board for communistic propaganda".

After I made my Lincoln Day speech, the State Department's Deputy Under-Secretary John Pourifoy, had this to say in his press release of February 13, 1950 concerning Dr. Shapley:

"Dr. Shapley has never been an employee of the Department of State. However, in 1945, he served as a member of the American Delegation at the UNESCO Conference in London; and in 1946 to the International Astronomical Union at Copenhagen.

"Dr. Shapley is a member of the National Commission for UNESCO, representing the American Association for the Advancement of Science."

I submit that this statement in Mr. Pourifoy's press release is a misrepresentation of the true facts concerning Dr. Shapley's association with our Department of State. ~~This is merely another instance of the efforts on the part of the State Department to discredit the statements I have made, and to mislead the American public by presenting half truths.~~

The full facts concerning Dr. Shapley and the facts that the State Department's press release conveniently omitted are these:

ENCLOSURE

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121-23878-46

Dr. Shapley was appointed to the National Commission for UNESCO by the Secretary of State in May 1947 to fill an unexpired term, and he was reappointed to that position by the Secretary of State in June 1947 for a second term on the Commission, which expires in April of this year.

Not only was Dr. Shapley twice appointed to the National Commission by the predecessor of the present Secretary of State, in accordance with the provisions of Public Law 565 of the 79th Congress, but his transportation expenses and \$10 per diem are also paid by the State Department, in accordance with the provisions of Public Law 565.

I am at a complete loss to understand how the State Department could seek to avoid responsibility for Dr. Shapley's appointment and continuance on the National Commission, in view of these uncontroverted facts.

As a matter of fact, I know that John Peurifoy had all of these facts in his possession concerning the appointment and payment of expenses for Dr. Shapley at the National Commission, at the time his misleading press release of February 13 was issued to the public. I know that because I have a letter from John Peurifoy, dated February 16, 1950, in which he furnished me with the facts concerning Shapley's appointments and compensation, in accordance with Public Law 565.

Now I personally do not blame John Peurifoy for attempting to mislead the public and whitewash the State Department in that press release. I have known Peurifoy to be an upright, honest individual, and I for one am convinced that he is issuing these misleading half truths to the American public on orders from higher ups.

It is inconceivable that the Secretary of State should be condemning the Communist-inspired Scientific and Cultural Conference for World Peace on the one hand, and retaining Dr. Harlow Shapley, one of its main organizers, in an important position with UNESCO on the other.

As this Committee well knows, the power to appoint carries with it the power to dismiss unless definite restrictions are placed on the appointing authority, which they are not in the case of Dr. Shapley.

Stratified
Furthermore, inasmuch as ~~U. S. Treasury~~ funds are being used to pay the traveling expenses and per diem of Dr. Shapley's at the National

Commission, there is no reason why he could not be summarily dismissed from that position by Secretary Acheson under the broad powers of the so-called McCarran Rider.

Dr. Shapley's active participation in the Soviet Peace Conference is not the last nor only Communist-front with which this man has been affiliated. His record with Communist-fronts is a long and interesting one.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

DATE: March 14, 1950

FROM : A. H. Belmont

SUBJECT: COMMUNISTS IN THE STATE DEPARTMENT
(Allegations by Senator Joseph R. McCarthy)
LOYALTY OF GOVERNMENT EMPLOYEES

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Pennington
Mr. Quinn Tamm
Tele. Room
Mr. Nease
Miss Holmes
Miss Gandy

PURPOSE

To furnish for your information and in accordance with your request summary memoranda regarding Dr. Esther Caukin Brunauer, Stephen Brunauer and Owen J. Lattimore.

BACKGROUND

Reference is made to Mr. Winterrowd's memorandum to you dated March 13, 1950, advising you with respect to Senator McCarthy's testimony before the Senate Foreign Relations Subcommittee on the morning of the 13th. You will recall that in Senator McCarthy's testimony he identified his current Case No. 3 as Dr. Esther Caukin Brunauer, who, as you will recall, was identified as "Case No. 47" in his previous testimony before the Senate as published in the Congressional Record of February 20, 1950. There is attached a copy of the summary memorandum prepared on Dr. Esther Caukin Brunauer identifying her as "Case No. 47," which was submitted to the Director by memorandum of February 24, 1950, along with summaries on 67 other individuals identified as those referred to by case numbers in Senator McCarthy's testimony published in the Congressional Record of February 20, 1950.

Senator McCarthy in his testimony before the Senate Foreign Relations Subcommittee yesterday also mentioned Esther Brunauer's husband and stated that the status of this case was most important and he would not present it at a public hearing but would refer to it in executive session. He identified the husband of Esther Brunauer as "Stephen Brunauer, a Commander in the U. S. Navy, presently on active duty, and a scientist on several top secret projects." You will recall that the only investigation the Bureau ever has conducted on Dr. Stephen Brunauer was under the Atomic Energy Program at the request of the Atomic Energy Commission. You will recall further that the Bureau never has conducted a loyalty investigation of Brunauer. Details concerning the factors which caused the Bureau not to initiate investigation of Brunauer under Executive Order 9835 are set forth in the attached summary memorandum on Stephen Brunauer under the heading "Action By Bureau Under Loyalty Program." You may recall particularly that on December 13, 1947, the Bureau wrote to Rear Admiral Thomas B. Inglis, then Chief of Naval Intelligence, pointing out to him the fact that an investigation was conducted by the Bureau regarding Brunauer under the Atomic Energy Act due to a request received from the Atomic Energy Commission on March 19, 1947; that if the investigation of Brunauer had been continued by the Bureau on completion of the Atomic Energy Act investigation, it would have involved a violation of the Delimitation Agreement in that Brunauer was a civilian employee of the Department of the Navy; that all information in the Bureau's possession was provided to ONI for such action as they deemed advisable; that this action antedated the new procedures established under the President's Executive Order on Loyalty of Government Employees; that information furnished to the Bureau periodically had indicated that investigation of Brunauer was actively being conducted by the Department of the Navy. It was further pointed out to Admiral Inglis because of all of the elements involved in the situation, particularly in light

Attachments

NRJ:IHS

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of the information contained in the Bureau's reports of its investigation of Brunauer conducted at the request of the Atomic Energy Commission, as well as the fact that Brunauer had been the subject of an active investigation by the Navy Department, the Bureau had withheld initiating an additional investigation of Brunauer under the terms of the President's Executive Order on Loyalty of Government Employees because obviously such investigation would duplicate, in large measure, the investigation previously conducted by the Bureau, as well as that apparently being conducted by the Department of the Navy.

You also will recall that subsequent to this letter we never received a request from the Department of the Navy for an investigation of Brunauer under the Loyalty Program and ONI continued its active investigation of Brunauer. Accordingly, when we received the Loyalty Form submitted on Stephen Brunauer, copies thereof were returned to the Civil Service Commission by letter dated May 22, 1948, in which the Commission was advised that the Bureau had received information to the effect that ONI had for some time been conducting an investigation of the activities of Stephen Brunauer and that the investigation still was being actively pursued; that in view of the investigation being conducted by ONI, no investigation regarding Stephen Brunauer would be conducted by the Bureau.

With reference to Owen J. Lattimore, you will recall that Mr. Winterrowd's memorandum to you yesterday indicated that Senator McCarthy was identifying his current "Case No. 4" as that concerning Owen J. Lattimore. According to an article appearing in the final edition of the Washington Daily News dated March 13, 1950, Senator McCarthy named Owen J. Lattimore as a former adviser to President Roosevelt who was "pro-Communist." This article indicates he told a Senate Foreign Relations Subcommittee that Mr. Lattimore still holds a position as a part-time State Department Consultant on Far Eastern problems; that Lattimore, who was the late President Roosevelt's adviser in China, is a bad security risk and may already "have done this nation incalculable and irreparable harm."

Lattimore has never been the subject of a Loyalty Investigation. At the present time he is the subject of a pending espionage investigation which was initiated in March, 1949. CIA and ONI are cognizant of the espionage investigation being conducted on Lattimore but since this is an espionage investigation, no information has been supplied to the State Department.

However, in answer to a routine flimsie, requesting a name check for the State Department, according to memorandum dated February 3, 1950, liaison informed Mr. Walter E. Jessop of the State Department that the Bureau had

March 14, 1950

DR. ESTHER CAUKIN BRUNAUER
aka Mrs. Stephen Brunauer
Assistant Director for Policy Liaison
UNESCO Relations Staff
Department of State
Washington, D. C.

Background

Dr. Esther Caukin Brunauer was born on July 7, 1901 at Jackson, California. She was employed from September, 1927 to March, 1944 by the American Association of University Women, Washington, D. C., and at the conclusion of her services with that organization she was International Relations Secretary. She is married to Dr. Stephen Brunauer who is with the Office of Naval Research, Department of the Navy, Washington, D. C.

Basis for Investigation

The House Committee on Un-American Activities reported that the employee presided at a meeting on June 11, 1936 which was sponsored by the American Friends of the Soviet Union in Washington, D. C.

Results of Investigation

The files of the HCUA reflect that on June 11, 1936 in Washington, D. C. the employee presided over a lecture given by Myra Page which was held under the auspices of the American Friends of the Soviet Union. A leaflet describing this lecture states that Myra Page was an instructor at Commonwealth College in Arkansas, was a former member of the "Moscow Daily News" and was on the editorial staff of the magazine "Soviet Russia Today."

The American Friends of the Soviet Union was cited by HCUA as a Communist front. The magazine "Soviet Russia Today" was cited as a Communist front. Commonwealth College was also cited by HCUA as having received extensive donations from the Communist supporting Garland Fund.

HCUA files reflect that the New York Times, March 16, 1939, described Esther Brunauer as a member of the Executive Committee of the American Union for Concerted Peace Efforts, which the HCUA cited as a Communist front.

Washington Informant [] (anonymous source known to the Washington Field Office) advised that "Dr. Esther Brunauer, American Association of University Women, 1634 I Street, N.W.," appeared on the active indices of the Washington Committee for Democratic Action, an organization which the Attorney General cited as coming within the purview of Executive Order 9835. Washington T-2 (a highly confidential source known to the Little Rock, Arkansas Office) advised that the employee's name appeared in the active indices of Commonwealth College, described above.

Classified by 2909
Exempt from GDS
Date of declassification

CLASSIFIED

BY

DATE

4/10/78

2-21-80

ORR/jed

100-23273-47

62-37747-1-42

~~SECRET~~

Washington [redacted] advised that the employee in December, 1942, as a representative of the American Association of University Women, made arrangements with Vladimir Bazykin, First Secretary of the Soviet Embassy, to exchange publications with the Soviet Women's Anti-Fascist Committee. The informant stated employee had received a communication from the latter organization. ~~X~~

Files of the HCUA also reflect that in November, 1937, the American Friends of the Soviet Union issued a one hundred page edition of its official publication, "Soviet Russia Today, celebrating the twentieth anniversary of Soviet Russia. This publication contained a list of speakers sponsored by the AFSU, including one Dr. Stephen Brunauer. Washington T-4 (Mrs. Franklin E. Allison, former neighbor of the employee) recalled that the employee met her husband through their mutual interest and activity in the Friends of the Soviet Union. U

Joseph B. Matthews, former Research Director of the Dies Committee, recalled his association with the employee and her husband in the late 1920s and early 1930s while he was a professor at Howard University in Washington, D. C. Matthews said that in 1928 Stephen Brunauer informed him that he was a member of the Communist Party. U

A representative number of neighbors, fellow employees, and associates of the employee, in addition to those described above, were interviewed and considered the employee loyal to the United States. U

Informants mentioned above will not testify in a Loyalty Hearing.

Reports to CSC - March 2, 1948; reports to Department - March 19, 1949.

Disposition

Civil Service Commission - "Retained" - February 4, 1949. Department - No final advice re prosecution - February 14, 1950. U

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derogatory information in its files regarding Lattimore. Mr. Jessop informed that the name check request which had been furnished to the Bureau was sent after a passport had already been issued to Lattimore and Jessop requested that the Bureau supply any derogatory information concerning Lattimore for future use as he indicated Lattimore is a rather frequent traveler abroad.

In view of the fact that Lattimore was the subject of a current Bureau espionage investigation and our files contained information from the Civil Service Commission that Lattimore had left the employment of the State Department on February 12, 1946, it was believed desirable to obtain Lattimore's exact relationship with the State Department in connection with his foreign travel before we furnished any derogatory information to the State Department which had been obtained during the espionage investigation.

Consequently, by memorandum of February 24, 1950, the State Department, through liaison, was requested to advise as to Lattimore's relationship with that Agency and on March 10, 1950, the State Department in response to this inquiry advised they had no record of Lattimore's employment. However, on March 13, 1950, the State Department amended this statement and indicated that Lattimore had been employed for a three-day period in October, 1949, as a Consultant on Far Eastern Affairs on a per diem basis.

Advice was received on March 6, 1950, that Lattimore had been hired by the Economic Affairs Division of the United Nations on a fixed term appointment for one month. He departed from New York for Kabul, Afghanistan March 6, 1950 on a three-weeks trip to make a preliminary survey in Afghanistan in connection with a United Nations program to afford technical assistance to backward nations. Accordingly, a summary of information is being prepared for the State Department, and this is being expedited.

ACTION

None. This is for your information.

~~SECRET~~

Mr. D. M. Ladd

March 14, 1950

A. H. Belmont

COMMUNISTS IN THE STATE DEPARTMENT
(Allegations by Senator Joseph R. McCarthy)
LOYALTY OF GOVERNMENT EMPLOYEES

PURPOSE

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ACTION

None. This is for your information.

March 14, 1950

STEPHEN BRUNAUER
Technologist, High Explosives
Bureau of Naval Ordnance
U. S. Navy Department
Washington, D. C.

Background:

Stephen Brunauer was born February 12, 1903, in Budapest, Hungary, and was naturalized in New York City on September 1, 1927. He attended City College of New York and received his A.B. degree from Columbia University, New York City, in 1925. He received a Ph.D. degree from Johns Hopkins University in 1933. In January, 1926, he married Anna Friedman and divorced her in March, 1931. In the same year he married Esther Caukin. He was employed by the Department of Agriculture as a Chemist from 1928 to October, 1942. He was appointed a Lieutenant in the U. S. Naval Reserve in August, 1942, was promoted to Lt. Commander, September 30, 1943, and was promoted to Commander, November 9, 1945. He was relieved from active duty November 13, 1946, and given a certificate of honorable service. He entered on duty September 9, 1946, as a Technologist, High Explosives, with the Bureau of Naval Ordnance.

Atomic Energy Act - Applicant Investigation:

On April 5, 1947, an Atomic Energy Act - Applicant investigation was instituted concerning Stephen Brunauer based on information received on February 15, 1941, from a representative of the House Committee on Un-American Activities (Joseph B. Matthews) that Stephen Brunauer and his wife, Esther Caukin Brunauer, who was Secretary of the American Association of University Women, were both members of the Communist Party.* This information was furnished to the Atomic Energy Commission on March 22, 1947. This information was also furnished to ONI on December 13, 1945, in connection with a name check on Stephen Brunauer.

During the Atomic Energy Act - Applicant investigation the following information was developed.

Major John B. Gulley, then Security Officer for the Joint Army-Navy Task Force No. 1, Washington, D. C., advised that on his application for admission to Johns Hopkins University, Mr. Brunauer had stated that he was interested in attending meetings of "liberal groups." He stated that from a security standpoint Brunauer had not been issued a pass to allow him to attend the Bikini atom bomb test although his name had been submitted by the Bureau of Naval Ordnance as its representative to attend this test. Major Gulley related that when Brunauer went overseas he had misrepresented himself as a representative of the Office of Naval Intelligence.

Captain F. R. Duborg, Head of the Technical Intelligence Center, Operations 32-F-2, U. S. Navy, Washington, D. C., advised that he had heard that Brunauer, a Lieutenant Commander in the U. S. Navy, was going to Hungary and, having a small mission to be carried out in Hungary, asked that Brunauer see him. When Brunauer

came in, Captain Duborg became immediately suspicious and decided that he was not the type of person to trust with this mission, although there was nothing definite on which he could base his opinion. He related that after Brunauer had gone overseas, various reports from him came in and that in one official report Brunauer made the statement that he had been asked by the Chief of the Office of Naval Intelligence to go to Hungary and round up various scientists with a view toward bringing them to the United States. Captain Duborg related that in his opinion this statement was a deliberate misrepresentation since in the first place Brunauer had not talked to the Head of the Office of Naval Intelligence, and Brunauer could not reasonably have received the impression from their conversation that the purpose of his mission was such as he had stated. Captain Duborg stated that he does not trust Brunauer but has never been able to prove definitely that Brunauer is disloyal.

The files of the House Committee on Un-American Activities had information that Dr. Esther Caukin Brunauer was one of the signers of the Call of the Congress of Youth in July, 1939, and the following is quoted from the proceedings of the Congress of Youth, which was the fifth national gathering of the American Youth Congress held in New York City in July, 1939:

"The signers are issuing this call, not as the official representatives of their organizations, but in their personal capacities as individuals concerned with the knowledge of young people in the United States."

The American Youth Congress appears on the list of organizations coming within the purview of Executive Order 9835.

Co-workers, associates, neighbors and references, which included Senator Joseph Ball, advised that Stephen Brunauer is a loyal individual.

During the Atomic Energy Act - Applicant investigation it was determined that the Office of Naval Intelligence was also conducting an investigation of Stephen Brunauer, who was listed as a Commander, USNR, and arrangements were made through the Liaison Section at the Bureau to secure copies of the ONI reports.

The Atomic Energy Act - Applicant reports were sent to the Atomic Energy Commission, Washington, D. C., on May 15, 1947, together with a summary of information in the files of ONI. Copies of the Bureau's reports were sent to ONI on May 22, 1947, and to the Attorney General on December 6, 1947.

Investigation by the Office of Naval Intelligence

The ONI investigation was instituted at the request of the Bureau of Ordnance, Department of Navy, based on the information received from this Bureau as a result of the name check on Stephen Brunauer.

An ONI report dated March 22, 1946, contains background information concerning Commander Stephen Brunauer. An ONI report dated April 16, 1946, reflects that the files of the Chemistry Department of Johns Hopkins University contained a letter submitted by Stephen Brunauer with his application for admission to the Graduate School in 1933 in which he stated that he was interested, among other things, in liberal clubs and participated as a spectator in liberal club meetings when he had the opportunity.

An ONI report dated June 28, 1946, reflects that Commander Brunauer was a personal friend of the Honorable Szegedi Maszak, who was then the Hungarian Minister in Washington, D. C., and set out the names of various Hungarian officials and scientists. ONI pointed out that while in Hungary, Brunauer had met many of the Hungarian officials and scientists whose names were listed. Information was also received from ONI that Brunauer had reportedly related that his brother was practicing law in Hungary. The files of ONI reflect that Brunauer had been officially sent to Hungary to report to Captain Dietrich, U. S. Representative on the Allied Control Commission in Hungary, in the Spring of 1946.

ONI also furnished a copy of a memorandum concerning Commander Brunauer dated January 23, 1947, which stated:

"The informant stated that he had known subject quite intimately in 1929, 1930 and 1931, and had met him socially on numerous occasions. Subject was, at that time, an Instructor in Chemistry at John Hopkins University in Baltimore, Maryland. The informant stated that there was no doubt that at that time the subject was definitely a Communist; that on numerous occasions he had discussed politics with subject and subject had always indicated definite pro-Communist attitude. The informant stated that he was surprised to learn that subject is presently Naval Attache in Budapest. He stated that he had not seen subject in a number of years, but he was certain that anyone as definitely Communistic as this individual had been, could not have changed his views over a period of time and he felt some investigation should be conducted as to subject's background and character."

An ONI report dated April 29, 1947, contains the results of an interview with Mr. S. Chapin, Director-General of the Foreign Service, Department of State, who had been appointed Minister to Hungary, concerning his contact with Stephen Brunauer who had met with Mr. Chapin in order to effect some arrangement whereby he could accompany Mr. Chapin to Hungary. During his interview with Mr. Chapin, Stephen Brunauer stated that while in Hungary with Captain Dietrich he got to know, among others, a few of the members of the Hungarian Communist Party, but he did not know the leaders of the Party. He thought that he could be of some assistance to Mr. Chapin because of his acquaintance with people in Hungary.

This report also contains the results of an interview with Mr. Audrey Keith Brewer, a former fellow employee of Stephen Brunauer at the Department of Agriculture, who advised a representative of ONI that Stephen Brunauer "used to be terribly pro-Russian. We used to have some rather heated political arguments. He was very atheistic. I would say that he was terribly Communistic....."

This report reflects the results of an interview with Mrs. F. E. Allison, 4930 Butterworth Place, N. W., Washington, D. C., a former fellow employee of Stephen Brunauer at the Department of Agriculture, who advised that a notice had appeared in the Sunday Star, Washington, D. C., around 1934 to the effect that Dr. Stephen Brunauer would speak before the Friends of the Soviet Union. Mrs. Allison related that on seeing this notice she advised the supervisor of Dr. Brunauer at the Department of Agriculture. When Brunauer was called in by his supervisor and cautioned not to make this speech, she was told by the supervisor that Brunauer had agreed not to make the speech but stated that it would be made by his wife. The ONI report pointed out that the May 6, 1934, issue of the Sunday Star, Washington, D. C., contained the following notice:

"Dr. Brunauer to Lecture.

"Dr. Stephen Brunauer will speak on 'Culture in the Soviet Union and in Nazi Germany' Thursday evening at a meeting of the Friends of the Soviet Union in its Headquarters, 1013 C Street, S. E."

The May 10, 1934, issue of the Evening Star, Washington, D. C., contained the following article:

"City News in Brief:

"Today

Lecture: Dr. Stephen Brunauer, 'Culture in Soviet Russia and Nazi Germany,' 1013 C Street, S.E., 8:15 P.M."

Friends of the Soviet Union was cited as a Communist front by the Special Committee on Un-American Activities.

An ONI report dated September 18, 1947, reflects that on January 27, 1926, Stephen Brunauer married Anna Friedman. Marriage records on file at the City Clerk's Office, Bronx County, New York, New York, reflect that Stephen Brunauer listed his parents as Sarah and Louis Popper. The records of the Supreme Court, Bronx, New York, reflect that Mrs. Anna Brunauer had been granted a divorce from Stephen Brunauer on March 20, 1931. This report reflects that John Roman, brother of Anna Friedman, the former wife of Stephen Brunauer, was the editor of the Hungarian newspaper "Magyar Jovo," which was allegedly Communist controlled and subsidized by the International Workers Order. The report continues that confidential informants have stated that Roman is the dominant force and one of the chief leaders of the Hungarian Communists in the United States.

International Workers Order appears on the list of organizations coming within the purview of Executive Order 9835.

A copy of the ONI report dated September 18, 1947, received subsequent to completion of the Bureau's Atomic Energy Act investigation, was sent to the Atomic Energy Commission on October 27, 1947.

An ONI report dated April 5, 1948, reflects the negative results of the investigation conducted to determine if Stephen Brunauer had written for a Communist publication under an assumed name.

This information was furnished the Atomic Energy Commission by letter dated April 28, 1948.

Two copies of a letter from the Office of the Naval Attache, American Embassy, Paris, France, dated April 22, 1948, which had been furnished by ONI, were sent to the Atomic Energy Commission by letter dated May 4, 1948. U

An ONI report dated July 26, 1948, contains background information concerning Stephen Brunauer's former wife, Anna Friedman, also known as Anna Krauss, Anna Popper, Anna Brunauer, who was then residing in Santiago, Chile. An ONI report dated July 27, 1948, consisted of a summary of information and an investigative recapitulation of the results of investigation conducted by ONI concerning Commander Stephen Brunauer, USNR (Inactive). A copy of these reports were furnished to the Atomic Energy Commission on February 7, 1949.

An ONI report dated September 30, 1948, consisted of a portion of the transcript of the Loyalty Board Hearing granted Mrs. Esther Caukin Brunauer on July 28, 1948; a letter from the U. S. Naval Attache, Santiago, Chile, dated September 10, 1948, setting forth the results of the interview with Brunauer's former wife, Anna Friedman; a translation of a letter of power of attorney; and a photostatic copy of Form 57 executed by Stephen Brunauer on August 22, 1946. Anna Friedman Krauss was accompanied by her husband, Louis Krauss, when she was interviewed in Santiago, Chile, concerning Stephen Brunauer. Although she expressed her willingness to cooperate, she furnished no information reflecting on the loyalty of Brunauer. The interviewer commented, "The overall impression obtained from this interview was that the Krausses were definitely wary about handing out any information concerning Brunauer. Their emphatic attempts at veering away from any connection with a leftist background was obvious."

The ONI pointed out that Stephen Brunauer had possibly falsified his Form 57 inasmuch as he had answered "no" to Question 26 which reads as follows: "Do you advocate or have you ever advocated, or are you now or have you ever been a member or any organization that advocates the overthrow of the Government of the United States by force or violence?" ONI pointed out that in his testimony before the Loyalty Hearing Board in behalf of his wife, Stephen Brunauer admitted former membership in the Communist Party.

In its letter of October 8, 1948, ONI pointed out that their report of September 30, 1948, was a closing investigative report and that the entire file on Stephen Brunauer had been referred to the Office of Industrial Relations of the Navy Department for a decision as to future procedure.

Information Obtained by the Bureau Subsequent to the Atomic Energy Act - Applicant Investigation

By letter dated December 17, 1947, the Washington Field Office furnished the following information which had been received from Confidential Informants Washington U

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Confidential Informant Washington [] who has furnished reliable information, advised that one Edmund Ferency, a Hungarian citizen and a member of the Communist Party, was the Hungarian delegate to the UNESCO conference held in Mexico City. Informant stated that during this conference the question came up as to whether Hungary would be permitted to become a member and when the question came to a vote all nations, except the United States, voted in favor of Hungary's admission. The United States delegate, Dr. Esther Caukin Brunauer, abstained from voting. According to this informant, Ferency became incensed at Dr. Brunauer's refusal to vote in favor of Hungary's admission and told Dr. Brunauer that in retaliation he would ruin her husband. Ferency told Dr. Brunauer that he knew of her husband's present position in the United States Navy and that he was certain the proper authorities in the United States would be interested in knowing that the husband had formerly written articles under an assumed name for an American Communist newspaper and, further, that he, Ferency, knew where he could locate two or three American citizens who knew this to be a fact and by whom he, Ferency, could prove this allegation. Washington [] advised that Ferency left for New York en route to Hungary and that he was to fly to Europe on December 16, 1947. He added that Andrew Sik, Cultural Attache at the Hungarian Legation and alleged to be a Communist Party member by Washington [] became aware of the statements made by Ferency, and he believed that Sik finally persuaded Ferency to desist from any action in this matter. This informant believes that neither Esther Brunauer nor Stephen Brunauer are sympathetic toward the Communist Party or its policies. Informant declined to furnish a signed statement and does not desire to testify.

Confidential Informant Washington [] who has furnished reliable information, advised that he is well acquainted with Esther Brunauer and Stephen Brunauer and does not consider either of them Communists or sympathetic to Communism but rather feels that they are both loyal to the United States. He advised that many years ago, around 1925, Stephen Brunauer wrote some articles for an American-Hungarian language newspaper called "Magyar-Jovo," published in New York City. He believed that Stephen Brunauer wrote under the name of Stephen Barabas. The paper was operated by John Roman, brother of his first wife, and, according to this informant, this paper was a Communist language paper for Hungarian groups at that time. Informant declined to furnish a signed statement and does not desire to testify.

Both Confidential Informants [] advised that Stephen Brunauer has a younger brother in Hungary who is a very active Communist.

The above information, which had been furnished by [] was summarized and furnished to ONI in the form of a blind memorandum dated January 7, 1948, and was furnished to the Atomic Energy Commission, Washington, D. C., by letter dated February 4, 1948.

In connection with the Loyalty investigation on Dr. Esther Caukin Brunauer, Dr. Joseph B. Matthews, Research Director for the John A. Clements Associates, 250 West 57th Street, New York City, a former Research Director for the Dies Committee, advised that his knowledge of both Stephen Brunauer and Esther Caukin Brunauer is limited to the period of his association with them while he was a Professor at Howard University in Washington, D. C. During that time, which covered the late 1920s and early 1930s he met regularly with a small group of people for discussions on

political beliefs. This group called itself the Liberal Club, and certain members of this group were "avowed Communists," according to Matthews. Matthews said that in 1928 Stephen Brunauer informed him that he was a member of the Communist Party, but he never had any positive information that Esther Caukin Brunauer was a Communist Party member although he "assumed that she was also a member in view of her close association with Stephen Brunauer." He said that both of the Brunauers were members of the American Friends of the Soviet Union and that on one occasion in 1934 Stephen Brunauer was to have delivered an address before that organization but "since he was a Government employee at the time, he was prevailed upon to forego the occasion." Instead, according to Matthews, Esther Brunauer delivered the speech which had been prepared by her husband. Matthews was unable to give the exact date or place and was unable to furnish documentary evidence that Esther Brunauer had delivered the speech.

The files of the House Committee on Un-American Activities reflect information indicating that in November, 1937, the Friends of the Soviet Union issued what it called the Golden Book of American Friendship with the Soviet Union. In addition, this organization issued a one hundred page edition of its official publication, "Soviet Russia Today," eulogizing Soviet Russia on its twentieth anniversary. Several hundred thousand signatures of Americans appeared in the Golden Book under greetings to the Soviet Government. The special one hundred page edition reproduced some of these names. Included in the list of speakers sponsored by the Friends of the Soviet Union in this edition was the name of one Dr. Stephen Brunauer.

Soviet Russia Today was cited as a Communist front by the Special Committee on Un-American Activities.

An examination of the ONI Summary Report dated July 27, 1948 on Stephen Brunauer shows that they had substantially the same information as set forth above.

The report of Special Agent Robert A. Frink dated December 14, 1948, at New York in the case entitled: "Gregory Hankin, aka, Henry Hankin, Consultant - Appointee, Department of the Interior, Washington, D. C., Loyalty of Government Employees", sets out the signed statement of Mr. J. B. Matthews, which reads in part as follows:

".....While serving as a member of the faculty at Howard University, Washington, D. C., in 1928 and 1929, I was associated with a group known as the International Relations Club. This group was a small discussion group, composed of approximately 30 members, which held meetings once a week at an old Quaker meeting house on 'I' Street in Washington, D. C. The International Relations Club was an informal group

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without specific policies or courses of action and did not maintain a membership roster. The actions of the group, however, were controlled by approximately six persons whom I considered as Communists. I cannot remember the names of all of these persons, but at least three of them had at some time admitted to me that they were members of the Communist Party. They were MALCOLM NURSE, who later became a Commissar in the Communist International for the entire continent of Africa, under the name of George Padmore; Noel Field and Stephen Brunauer, a chemist; Esther Caukin, who later married Brunauer, was also a leader in the club, although she had never admitted to me that she was a member of the Communist Party. This group was not affiliated with the Communist Party, but I can not recall any incidents wherein there was open disagreement with the general Communist Party line which was being followed by the group....."

It is noted that the above information is, in substance, the same as that which had been furnished to ONI in connection with its name check on Stephen Brunauer. However, Mr. Matthews does point out that Noel Field was also a member of the International Relations Club at the same time as Stephen Brunauer and had admitted to Mr. Matthews that he, Noel Field, was a member of the Communist Party.

Action By Bureau Under Loyalty Program:

As previously indicated, active investigation of Stephen Brunauer under the Atomic Energy Act was completed and referred to the Atomic Energy Commission, May 15, 1947. Subsequently, on November 21, 1947, the Bureau received a letter from Admiral Thomas B. Inglis, Chief of Naval Intelligence, in which Admiral Inglis pointed out that ONI had for the past two years been interested in the activities of Stephen Brunauer who was described as a former Commander in the U. S. Naval Reserve and at the time of the letter a civilian employee of the Bureau of Ordnance, Department of the Navy. Admiral Inglis referred to the reports of investigation of Brunauer conducted by the Bureau under the Atomic Energy Act, copies of which had been furnished to ONI, and requested that a recheck be made of the Bureau's files for the purpose of determining whether there existed any additional data other than that previously furnished to ONI. It is noted that this letter did not request the Bureau to conduct an investigation of Stephen Brunauer.

At the Interdepartmental Intelligence Conference held on November 25, 1947, the case of Stephen Brunauer was cited by the Office of Naval Intelligence as one of three cases where FBI cooperation with ONI had not been satisfactory. On November 29, 1947, the Bureau responded to the letter received from Admiral Inglis dated November 21, 1947, and also responded to ONI's citation of the case of Brunauer as evidencing a lack of cooperation between the FBI and ONI. It was pointed out to Admiral Inglis that the Bureau had, under the provisions of the Atomic Energy Act and at the request of the Atomic Energy Commission, conducted an investigation of Brunauer and that copies of the reports had been furnished to ONI; that a recheck had been made of our files and revealed no additional information which had not already been furnished to ONI; that it appeared the Bureau had furnished to ONI all information in its files concerning Brunauer and had never been requested by the Navy Department to conduct any investigation regarding him; that the Bureau was at a loss to understand in what manner the Bureau had merited his criticism of its cooperation in this case. 4

On December 1, 1947, the Director received a call from Admiral Inglis advising him that Secretary Sullivan, Department of the Navy, had communicated with the Attorney General to request the FBI to expedite its investigation of Brunauer. The Director wrote a memorandum to the Attorney General pointing out that at no time had the Navy Department requested the Bureau to conduct any investigation of Stephen Brunauer; that the Bureau had conducted an investigation of him at the request of the Atomic Energy Commission and had furnished copies of the reports thereof to ONI. The Director advised the Attorney General that the Navy Department had never requested the Bureau to make an investigation of Brunauer and that the Bureau had furnished the Navy Department all information in its possession concerning him and consequently it appeared that Secretary Sullivan was misinformed regarding the true facts involved in this situation. 4

It is noted that on December 1, 1947, Mr. Ladd received a call from Mrs. Stewart in the Attorney General's Office, advising him that Secretary Sullivan had communicated with the Attorney General along the same lines as indicated above. Mrs. Stewart advised that the Attorney General desired copies of the Bureau's reports when the investigation was completed. Mr. Ladd advised her that the Bureau had not received a request for investigation in connection with Brunauer to which she replied she understood the request had been submitted by the Navy approximately ten days prior thereto. It was ascertained that the request in question apparently referred to the letter received from Admiral Inglis dated November 21, 1947, discussed above wherein the Office of Naval Intelligence requested us to recheck our files for any additional information concerning Brunauer which had not previously been furnished to the Office of Naval Intelligence. A check was made through liaison with Mr. Wilson of ONI who stated that he thought Secretary Sullivan had probably been confused in referring to a request for investigation and was probably referring to the request for a name check based on Admiral Inglis' letter of November 21, 1947. However, a memorandum was directed to the Attorney General furnishing him with copies of the Bureau's reports reflecting the results of the Atomic Energy Act investigation concerning Brunauer at which time it was pointed out to the Attorney General that continuation of this investigation by the Bureau after the completion of the investigation under the Atomic Energy Act would have been a violation of the Delimitation Agreement in that Brunauer was a civilian employee of the Navy and as such was within their jurisdiction for investigations relating to internal security, et cetera. It was pointed out to the Attorney General that copies of the Atomic Energy Act investigative reports had been furnished to ONI.

In response to the Director's memorandum to him dated December 1, 1947, the Attorney General addressed a memorandum to the Director dated December 16, 1947, referring to the request of Secretary Sullivan's Office for the FBI to expedite its investigation of Stephen Brunauer. The Attorney General advised him that he had talked with Secretary Sullivan's Office and understood that Admiral Inglis had been in touch with the Director and that appropriate arrangements had been made to acquire all the information necessary.

Aside from the above interchange of correspondence relating to the request from Secretary Sullivan's Office, Admiral Inglis addressed a letter to the Director dated December 3, 1947, commenting further on the reasons for his mentioning the case of Stephen Brunauer at the Interdepartmental Intelligence Conference on November 25, 1947. He pointed out that when the ONI received the Bureau's reports in connection with the investigation for the Atomic Energy Commission, ONI assumed that because of certain derogatory information contained therein, an investigation of Brunauer's wife and perhaps of Brunauer also would be conducted by the Federal Bureau of Investigation; that more recently they had received information that the Bureau had Brunauer under current investigation which lead Admiral Inglis to write his letter of November 21, 1947 (referred to above) and to make mention of the case at the Interdepartmental

Intelligence Conference. Admiral Inglis further indicated that the assumption and the information ONI received regarding current investigation of Brunauer by the Bureau were incorrect. He went on to point out that the Secretary of the Navy had a direct interest in Brunauer's case and that ONI had continued this case as active and considerable information not contained in the Bureau's reports had been developed. He mentioned that the results of ONI current inquiries would be made available to the Bureau as soon as possible. Separate advice was received through liaison channels from Mr. Wilson of ONI on December 2, 1947, to the effect that the Office of Naval Intelligence was continuing its investigation on Brunauer.

In response to Admiral Inglis' letter of December 3, 1947, the Bureau advised him by letter dated December 13, 1947, that if the investigation of Brunauer had been continued by the Bureau on completion of the Atomic Energy Act investigation, it would have been involved a violation of the Delimitation Agreement in that Brunauer was a civilian employee of the Department of the Navy; that the information in the Bureau's possession was provided to ONI for such action as deemed advisable; that this action, of course, antedated the new procedure established under the President's Executive Order on Loyalty of Government Employees. It was pointed out further that information furnished to the Bureau periodically had indicated that investigation of Brunauer was actively being conducted by the Department of the Navy; that with reference to his wife, Esther Brunauer, a request had been received for investigation from the State Department and consequently an investigation was being initiated concerning her. Admiral Inglis was advised that "because of all the elements involved in this situation, and particularly in the light of the information contained in the Bureau's reports of its investigation of Brunauer conducted at the request of the Atomic Energy Commission, as well as the fact that Brunauer has been the subject of an active investigation by the Department of the Navy, I have withheld initiating an additional investigation of Brunauer under the terms of the President's Executive Order on Loyalty of Government Employees because obviously such investigation would duplicate, in large measure, investigation previously conducted by the Bureau, as well as that apparently being conducted currently by the Department of the Navy." It is noted that Mr. E. A. Tamm, then Assistant to the Director, in referring this letter to the Director for his approval pointed out in a memorandum from Mr. Ladd to the Director dated December 6, 1947, that "technically we probably should open loyalty investigations on Brunauer and his wife. This apparently is what the Navy is trying to force us to do. They have carried Brunauer as an officer and as a civilian on the Navy roles for four or five years in spite of derogatory information in their possession and now are hysterically trying to find a way out of their dilemma with the result that I am convinced they are trying to dump this foul-smelling goat on us and absolve themselves from Congressional responsibility by placing the matter entirely in our hands. I believe, consequently, that we should resist their efforts at this time."

Admiral Inglis acknowledged the Bureau's letter of December 13, 1947, by letter of December 26, 1947, wherein he indicated ONI was continuing their investigation of Brunauer since it involved a definite security problem of prime importance

to the Navy; that all information developed by ONI would be made available to the Bureau as soon as possible and indicated that any information ONI might have which would be of assistance before a formal report was written would be given to the Bureau's representatives if desired.

Subsequently, on February 26, 1948, Captain Sabalot of ONI called Mr. Ladd and advised him that ONI had received a tip that Stephen Brunauer had been indicted by the Grand Jury in New York. He inquired as to whether Brunauer was a subject in the case in New York (the Gregory Case). Mr. Ladd advised Captain Sabalot that Brunauer was not under investigation by the FBI but that he had been informed that ONI was investigating Brunauer. Captain Sabalot stated Navy was taking no action toward prosecution of Brunauer, although they were investigating him.

You will note from the above that ONI was continuing its active investigation of Brunauer and consequently when the Loyalty Form on Brunauer was submitted to the Bureau, copies thereof were returned to the Civil Service Commission by letter dated May 22, 1948, advising the Civil Service Commission that information had been received by the Bureau to the effect that the Office of Naval Intelligence had for some time been conducting an investigation of the activities of Stephen Brunauer and that this investigation was still being actively pursued; that in view of the investigation being conducted by ONI, no investigation regarding Stephen Brunauer would be conducted by the Bureau.

By letter dated October 8, 1948, from Captain DuBois, Office of the Chief of Naval Operations, enclosing a complete copy of a closing investigative report by ONI concerning Brunauer, it was stated that inasmuch as all investigative action in this case had been completed, and in view of the fact that Brunauer was afforded a complete background investigation by the FBI in 1947 in connection with another matter, the entire file had been referred to the Office of Industrial Relations of the Navy Department for a decision as to future procedure. It was further indicated that the FBI would be informed of the ultimate disposition of Brunauer's case.

The Bureau file does not reflect that we have as yet received a final disposition in Brunauer's case from the Navy.

Testimony of Stephen Brunauer before the Loyalty Board in Connection with the Loyalty Hearing on his wife, Esther Caukin Brunauer.

ONI made available pertinent portions of the Transcript of the Loyalty Board Hearing granted Mrs. Esther Caukin Brunauer on July 28, 1948, which contains the testimony of Stephen Brunauer under oath. At this hearing Stephen Brunauer testified:

"...With your permission, I should like to say now a few words about myself. As you know, at the beginning of my adult life I became a Communist. If one's adult life begins at 18, then this was in the second or third year of my adult life. I met my wife when I was 25 years old, and by that time I was not a Communist any more. Even so, for a while I still retained some of the trappings of that ideology. My wife had a great share in helping me to get rid of these remnants of false beliefs, and was at my side in my progress.

"For more than a decade and a half I have been opposed to Communism and fought against it as best I could...

QUESTIONS BY MR. ST. CLAIRE:

Q. A few. Just as a matter of clarification of a few points, Mr. Brunauer, would you restate for the record when you did sever your connection in the Hungarian Section with the Young Communist League?

A. I do not remember the exact date, Sir, but it must have been either the end of 1926 or the beginning of 1927. I rather think it was the earlier date.

Q. For the better part of twenty years, more than twenty years since you never had any connection whatsoever with that League or the American Communist Party or any of the ideals of the Communist Party?

A. That is correct...

Q. Do you recall a Dr. J. B. Matthews?

A. Yes, Sir.

Q. Who is he, please?

A. Just rather recently I read about him in the papers in connection with some test, but I know that he was—I do not know what exactly his title was but he was on the Committee on Un-American Activities as an expert or adviser or whatever his job was...

Q. Do you recall at any time telling Dr. Matthews that you were a member in Baltimore of the Communist Party?

A. I believe not, Sir..."

Stephen Brunauer denied having any association with Dr. Matthews around 1934 in the Friends of the Soviet Union. Brunauer continued:

"As I mentioned in my statement, I still was a pretty 'pink' radical up to about the time of 1931-32 or maybe even later but...I was in an organization called the 'International Friendship Club,' which was organized by the Quakers here in Washington and which met at the Friends Meeting House at 1811 I Street or some place there. That is where I met my wife and I believe that is the place where I met Mr. Matthews..."

The questioning continued:

Q. Do you recall an incident occurring in May 1934 in which you were scheduled to address a meeting of the Friends of the Soviet Union and having been invited to do so by a young man which you met earlier at a party?

A. I met him at a meeting where I spoke.

Q. Yes, at a meeting. Had you ever seen that young man before that meeting?

A. Does that happen to be this Hadmore whom we are talking about?

Q. I do not know.

A. I think I met him before...

Q. Do you recall seeing a so-called "Golden Book on Soviet Russia Today" about 1937?

A. No, Sir, I do not recall.

Q. Do you recall being listed in that book as being one of the sponsors of the American Friends of the Soviet Union...Or seen your name appearing in such a book?

A. No, I have not seen it...

Q. Would you have any reason to suspect why your name might have appeared in it?

A. The only reason is this, on this meeting I was supposed to speak at, and they may have listed me as a sponsor. I did not speak there. My wife spoke in my place, so I never did.

Q. Did you ever write for a Hungarian newspaper called 'Magyar Jaro'...

A. No; probably if it is supposed to be Jaro, that paper did not exist when I was in the Communist movement. It is a successor of the Communist daily which was called Uj Elore. I wrote in that paper occasionally when I was in the Communist movement back in, as I have told you; '24 or '25 or so.

Q. Did you write under your own name?

A. No, Sir, and may I say something about that?...The Communists told me to change my name, but the explanation they gave me was not at all to cover myself up because that was ostensibly a legal party, but they said, 'You work considerably in the Hungarian Section,' and I had a German name and they said, 'Why don't you take a Hungarian-sounding name and then you will be more effective?' more accepted by the Hungarians with whom I was in contact, and those whom I was supposed to convince about the correctness of that..."

He admitted contributing four or five articles to this newspaper but stated that this contribution had taken place more than twenty years ago. Brunauer admitted knowing Joe Lokuras and stated that he knew that Lokuras was a Communist. In explaining why he came to be associated with the Communist movement, Brunauer reported:

"...I got acquainted with my former wife, to whom I was married for two years, and she was a Communist, and with her friends. They took me to a meeting. I listened to the talk, they worked on me, tried to convince me, this circle of friends she had and others, eventually convinced me to join this Hungarian Section of the Young Communist League. That is the way I got into this Communist movement.

"I think for a number of months I was just listening and watching things and talking with people, and then eventually--I do not know, perhaps a number of months or maybe a year, maybe less--I joined this group. So that was back in 1923, I guess, in 1923. That is about all I can say about getting in...

"Now about getting out of it, there were a number of complex things which came into my getting out. I became dissatisfied with their attitudes on one thing after another. For example, I gradually came to realize that the movement is directed from Moscow. For example, this is what happened. There was a so-called factional fight in the Communist Party. The Party broke into two factions. The subject of the fight was whether the Communist Party should work as a separate organization or whether it should work for the

Farmer-Labor Party—that is what they called that movement at that time—in other words, a third party in the United States which would draw in the type of elements that third-party movements have since drawn in a number of times. This was at the time of the LaFollettes, and now there was a majority of the Party, led by Foster, which was opposed to this third-party activity and a minority of the Party, which was led by Ruttenburg, and the minority was for this third-party movement.

"I was with the minority. In other words, I was for this third party. The Executive Committee of the Party, I believe a great majority, was against it. When it was put to the Party—on the latter fact I wrote on this subject a couple of articles in the Hungarian paper. This was put to a vote or referendum of the Party and the majority of the Party supported the majority of the Executive Committee and was against it, so I was on the losing side. But very shortly thereafter the order came from Moscow that the minority was right and the majority was wrong, so I became right, and by order of Moscow I got on the right side, but I didn't like it anyhow because it hurt my sense of—well, I believe in the majority decisions, and well, of course, I believed in sort of democratic processes even in such an organization as that, so I began to realize more and more the direction from Moscow.

"Then on one item after another—for example, I read books by the leading Communist writers and I read, for example, one book which had a great adverse affect on me, which was Lenin's book on Empirio-Criticism. I had, like all other Communists at that time, a great respect for Lenin, which of course I have lost for a long time since, but here at that time I had a very great respect for him, but here he was discussing science, and I had been beginning to work in the field of sciences at that time and I know that scientists do not work and that scientific processes are not the ones he laid down, the man whom he attacked in his book, which is a very German physicist Marx, was really one who knew science and Lenin did not, so that was very disappointing.

"Then their attitude—I could go into details on a great many different things which I did not like and matters, the way they were working, the unscrupulousness, the philosophy that if the aim is right then you can lie and cheat and kill and do anything, I gradually, slowly but surely got disgusted with one thing after another.

"Q. How did you sever that connection? How did you break the link eventually?

"A. I began to stop paying my membership dues and dropped out and announced that I am dropping out of the Communist Party and stopped paying membership dues and saw the group less and did not attend meetings any longer.

"Q. All of this came about, as you feel, as a matter of enlightened philosophy?

"A. Not nearly enlightenment on philosophy, but on the other hand their methods and ideas I did not like, and the way the whole thing was working at that time. Of course, even when I severed my connection, and years after that, two or three years after that, I had not had as full realization of what they are standing for and what the Communists are and how this Communist International, how the Communist Party in Soviet Russia, and so on, works, but I gathered it of course in the course of the years. But as I said at least—I would say at least fifteen years since I was definitely opposed to that, started to actively work against them.

"You see, there was a transitional period from the time when I just left them to the time when I began to work against them."

The Young Communist League appears on the list of organizations coming within the purview of Executive Order 9835.

Mrs. Esther Brunauer, in her testimony before the Loyalty Board, stated that Edmond Ferenczi had been a Hungarian delegate to the UNESCO conference held in Mexico City in 1947. She stated that in her contact with him, Ferenczi did not discuss the American abstention from a vote on the Hungary question and that Ferenczi did not at any time threaten to expose the fact that Stephen Brunauer had written an article under an assumed name for a Communist newspaper.

Referral of Brunauer's admission before Loyalty Board to Criminal Division of Department for decision regarding prosecutive action.

By letter dated October 15, 1948, Assistant Attorney General Alexander M. Campbell was advised that on March 11, 1947, Brunauer executed a Personnel Security Questionnaire for clearance in connection with work for the Atomic Energy Commission. At that time Brunauer was employed by the Bureau of Ordnance, Navy Department, Washington, D. C. In Item 16 of the questionnaire entitled "All Organization Membership, (inclusive dates and any office held)," he listed the American Chemical Society, 1929 to present; the Philosophical Society of Washington, 1938 to present; and the Washington Academy of Sciences, 1938 to present. Mr. Campbell was advised that the Bureau had never conducted a loyalty investigation of Brunauer in view of the fact that at the time the Executive Order concerning Loyalty of Government Employees was promulgated, Brunauer was under investigation by the Office of Naval Intelligence. The Navy was advised that in view of their investigation the Bureau would not conduct a loyalty investigation. There was enclosed to Mr. Campbell a photostatic copy of pertinent pages of the transcript of the hearing before the Loyalty Board of the Department of State concerning Mrs.

Esther Caukin Brunauer, wife of Stephen Brunauer. Attention was called to the fact that in his testimony before the Loyalty Board, Brunauer admitted prior membership in the Communist Party. There was enclosed to Mr. Campbell a memorandum reflecting the results of an interview with Brunauer's former wife by the United States Naval Attache at Santiago, Chile. Mr. Campbell was informed that on August 22, 1946, Brunauer executed Standard Form 57 and in answer to Question 26, which reads: "Do you advocate or have you ever advocated or are you now or have you ever been a member of any organization that advocates the overthrow of the government of the United States by force or violence?", he answered, "No." The Department was requested to advise whether the above facts constitute a basis for prosecution and if further action by this Bureau was desired.

By letter dated January 28, 1949, the Department requested that the Bureau contact ONI to ascertain whether its investigation of Stephen Brunauer has been completed; secure for the Department a copy of the ONI reports; ascertain if the Navy Department or the Atomic Energy Commission has preferred charges; secure for the Department a copy of any such charges and the answers thereto; and if Brunauer has had a hearing before a Loyalty Review Board, a copy of the transcript of such proceedings.

By letter dated February 16, 1949, Mr. Alexander M. Campbell was informed that ONI has advised that their investigation of Brunauer has been completed but the matter was still pending in the Office of the Chief of Ordnance. Copies of the ONI reports were furnished to Mr. Campbell. Mr. Campbell was informed that the Atomic Energy Commission had filed no charges against Brunauer and that no administrative review had been afforded this matter. The Commission's Security Office had made known that it was agreed with the Navy that Brunauer would not be used on any matters involving classified Atomic Energy material.

The Department advised in a memorandum in the case entitled "Stanley Slavko Schneller, Atomic Energy Act, Fraud Against the Government," that in those cases investigated as possible violations of the Fraud Statute in connection with the filing of a Personnel Security Questionnaire for employment with the Atomic Energy Commission when Section 16 was entitled "All organization membership, name, address, type, (inclusive dates and any office held)", it was not believed that successful prosecutions could be had.

~~SECRET~~

March 14, 1950

OWEN LATTIMORE
Temporary Appointee
Economic Affairs Division
United Nations

Classified by 2989
Exempt from GDS Category 1, 2
Date of Declassification Indefinite
DPG/DCC 4/10/78

DETAILS

Owen Lattimore was born in Washington, D. C. on July 29, 1900. When he was one year of age, he left for China with his parents and resided there until he was thirteen years of age when he was sent to Switzerland and England to complete his education. He returned to China in 1919 and engaged in newspaper work and business in Shanghai, Tientsin, and Pieping. He traveled extensively in China and Asia and did research work in Manchuria and Mongolia under grants from the Social Science Research Council, the Harvard - Yenching Institute and the J. S. Guggenheim Memorial Foundation. U

In 1933 he joined the staff of the Institute of Pacific Relations as editor of its journal "Pacific Affairs" and worked in that capacity in China and the United States until 1938 when he was appointed Director of the Walter Hines Page School of International Relations at Johns Hopkins University at Baltimore, Maryland. In July, 1941, he was appointed personal political adviser to Generalissimo Chiang Kai-Shek upon the recommendation of President Roosevelt. In 1942 he resigned that position to accept an appointment with the Far Eastern Department of the Office of War Information and on March 24, 1945, was appointed as the Director of Pacific Operations for OWI. In December, 1944, he resigned from OWI to return to his work at Johns Hopkins University; where he is currently employed as Director of the Walter Hines Page School of International Relations. U

The October 30, 1945, issue of the "Baltimore Sun" reported that Lattimore had been appointed as Chief Economist of the United States Reparations Commission for Japan. U

It has been reported that Lattimore has been engaged as a consultant and adviser on Far Eastern Affairs by various officials of the State Department, but inquiry by the Liaison Section of the State U

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Department revealed no record of Lattimore's employment other than that he was engaged for three days in October, 1949 as a consultant on Far Eastern Affairs on a per diem basis at a rate of \$6.00 per day.

Lattimore's name, however, appears on a Civil Service Commission list of Government employees whose loyalty was questioned. The Civil Service Commission card indicated he left the employment of the State Department on February 12, 1946. A loyalty form has not been received on him.

The "New York Times" of August 6, 1949, reported that the Secretary of State had appointed a three-man committee to review the situation in China and Central Asia. This committee included Dr. Philip Jessup of the United Nations; Raymond D. Fosdick, the former President of the Rockefeller Foundation; and Dr. Everett Case, President of Colgate University. On August 18, 1949, Dr. Jessup as "Ambassador at Large," wrote Lattimore and requested that he furnish the Advisory Committee with a summary of his views on the objective of the United States policies and methods to be employed in the Far East.
(100-24628-61-103)

Francis H. Russell, Director of the Office of Public Affairs of the State Department, reported that Lattimore had appeared as a lecturer on the Department's Orientation Program for Foreign Service employees. (100-267360).

The "Baltimore Sun" of June 9, 1949, reported that Johns Hopkins University had been awarded \$75,000 to carry out studies on "Inner Asia Frontiers" under a cooperative project sponsored by the Foreign Service Institute of the State Department, Johns Hopkins University, and the American Council of Learned Societies.

The Baltimore and New York Offices by teletype of March 6 and 8, 1950, reported that Lattimore has been hired by the Economic Affairs Division of the United Nations on a fixed term appointment for one month. He departed from New York for Kabul, Afghanistan on March 6, 1950, on a three-weeks trip to make a preliminary survey in Afghanistan in connection with a United Nations Program to afford technical assistance to backward nations. This preliminary trip will eventually be followed by a more prolonged trip next summer. Lattimore is accompanied by Harold E. Caustin, Deputy Director of the United Nations Economic Stability and Development Division and a Mr. Walter, a Belgian representative of the United Nations.

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BASIS FOR INVESTIGATION

The current investigation on Owen Lattimore was initiated upon receipt of information from Alexander Gregory-Graff Barmine, a former Russian diplomatic officer who defected from the Soviets in 1937, who when interviewed on December 14, 1948 said that while attached to the Foreign Trade Commission in Moscow, he had occasion to see General I. Berzin, then head of Soviet Military Intelligence approximately every day. During the course of one of these visits, Berzin in discussing China mentioned to Barmine that the Soviets had some Americans working for them there. According to Barmine, Berzin named Owen Lattimore and Joseph Barnes as being two of these individuals. After his entry into the United States, Barmine began to read closely the writings of these individuals, as well as newspaper articles concerning them and from these sources, he formed his own opinion that they were actually Soviet agents.

Paul and Hedi Massing, former Soviet agents have likewise expressed the view, based upon Lattimore's writings, that he is a Soviet agent.

It should be noted that allegations along a similar vein have been received concerning Lattimore, but although an extensive investigation has been conducted between March, 1949 and the present date, during which time his activities have been closely followed, no tangible evidence has been uncovered to date to corroborate the allegations or to indicate that he is involved in espionage or known Communist activity.

RESULTS OF INVESTIGATION

The following allegations that Lattimore has engaged in espionage or pro-Soviet activities have been made, but to date no corroboration of these charges has been received:

1. As previously related, Alexander Gregory-Graff Barmine alleged that General Berzin had identified Lattimore as an American working with the Soviet Government. (74-1333-1147, p. 90)
 2. As related above, Paul and Hedi Massing expressed the opinion that Lattimore was a Soviet agent, based upon a review of his writings.
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3. [redacted] by memorandum of July 11, 1947, reported the following information on Owen Lattimore: "Suspected in 1927 when he was in Shanghai of espionage for some foreign power. In February, 1935, was described as editor of 'Pacific Relations,' the quarterly of the Institute of Pacific Relations." ~~SECRET~~

The Legal Attache in London reported by letter of October 24, 1949 that [redacted] advised that the original source of this information [redacted]

[redacted]

[redacted] (100-24628-11) ~~SECRET~~

4. On May 24, 1949, Bernard Yho, Secretary to the Archbishop of Nanking, China, who was a Colonel in the Chinese Army Intelligence during the war, advised the New York Office that in 1946, Yf Chi, Director of Kuomintang Intelligence had informed him that some Chinese who had been arrested by Kuomintang Intelligence in 1942 or 1943 had reported that Lattimore, while acting as an adviser to Chiang Kai-Shek, had been divulging information to the Soviets. Yho had never met Lattimore nor had he heard of him prior to this time, nor could he supply any further details about this allegation. He suggested, however, that the Chinese arrested may have been "information brokers" who bought and sold information for monetary gain rather than for ideological motives. This information was relayed to CIA on May 22, 1949 for investigation but to date nothing has been received from CIA to confirm the allegation. (100-24628-38) ~~SECRET~~

5. Miss Freda Utley was interviewed on May 16, 1949 by agents of the Washington Field Division and stated that she formerly worked for the Comintern in Moscow. She said that in the spring of 1936, she met Lattimore with Edward C. Carter in Moscow and at that time both were engaged as representatives of the Institute of Pacific Relations. She was then employed by the Institute of World Economics and Politics which was affiliated with the IPR. She said that Carter acted as a subservient employee of the Russians and took instructions from them, while Lattimore on the other hand was argumentative, was not inclined ~~SECRET~~

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to yield in his judgment and according to Miss Utley, was not a member of the Communist Party. He indicated to Miss Utley that he considered Carter much too subservient to the Russians at that time. (Ibid. 80) U

Louis Francis Budenz reported that the Institute of Pacific Relations was not a Communist front but that Communist Party members and apologists had infiltrated its most influential committees. Budenz pointed out that Lattimore had been editor of "Pacific Affairs," journal of the Institute of Pacific Relations from 1934 to 1941. He related that in many instances Communists were successful in impressing their views on the State Department by planting articles with the proper slant in such magazines as "Far Eastern Survey" and "Pacific Affairs," as well as "Amerasia." The first named two magazines are publications of the Institute of Pacific Relations. (100-24628-80) U

6. On October 6, 1949, former Ambassador William C. Bullitt, Ashfield, Massachusetts, advised Agents of the Boston Office that in his opinion Owen Lattimore was the type of person whom the Communist Party would not permit to become a member of the Party because he was too valuable to the Soviet Union in the capacity of a non-member of the Communist Party. Bullitt expressed the opinion that Lattimore had considerable influence on policy-making officials of the Department of State and their relationships with countries of the Far East, but said that he was the type of person who was very hard to directly identify with the Communist Party because he was "too subtle." He further expressed the opinion that Lattimore, while not a card-bearing member of the Communist Party, closely followed the Soviet line. Bullitt said he had no factual information regarding membership in the Communist Party on the part of Lattimore. (Ibid. 94) U

7. Father James F. Kearney, S.F., in an article in the September, 1949 issue of "Columbia," a monthly publication of the Knights of Columbus entitled "Disaster in China," charged that Lattimore's advice to the State Department had already brought China to disaster and that there were those who believed that no American deserved more credit for the Sino-American disaster and the Russian triumph than Lattimore and a small group of his followers. Father Kearney was editor of the "Catholic Review at Nanking, China from 1929 to 1946. (Ibid. 138) U

Father Kearney who is now located at Santa Clara, California was recently interviewed by the San Francisco Office and advised that U

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he had no direct knowledge of Lattimore's activities and that the principal source of his information had been Alfred Kohlberg of the American-China Policy Association in New York City, who had charged that Lattimore "screened" applicants for positions in the Far Eastern Division of the State Department. Father Kearney pointed out that Kohlberg was intensely anti-Communist and was known to be indiscreet. Bureau files indicate that Kohlberg has not always been factual in his allegations and because of his intense hatred of Communism cannot be implicitly relied upon. (Ibid. 1149)

8. Dies Committee. The "Baltimore News Post" of September 28, 1945, in an article entitled "Communist Propaganda in Our Armed Forces" by David Sentner and Kent Hunter, reported that Lattimore had been named in the files of the House Committee on Un-American Activities as being affiliated with the following Communist front groups:

The Hollywood Writers' Mobilization;
The Maryland Association for Democratic Rights;
The Washington Committee for Aid to China;
The Editorial Board of "Amerasia."

The reference to the Hollywood Writers' Mobilization possibly refers to a report submitted by the Dies Committee which revealed that a program announcing the Writers' Congress, 1943, listed Owen Lattimore, Office of War Information, as a speaker at the opening session scheduled for October 1, 1943, at Royce Hall, University of California. According to the program, the Congress was to be held October 1 to 3, 1943, under the joint auspices of the University of California and the Hollywood Writers' Mobilization. Nowhere in this report was any other affiliation of Lattimore with this group announced. (62-7582-1298, p. 989)

The reference to the Maryland Association for Democratic Rights possibly referred to a Dies Committee report that related that a conference on Democratic Rights was held June 14 and 15, 1940, by the Maryland Association for Democratic Rights, 19 Medical Arts Building, Baltimore, Maryland. The Maryland Association for Democratic Rights was reported to have been formed by a group of individuals who were concerned with "freedom of religion, speech press assembly...., no unreasonable search...., no arrest without warrant...., right to trial by jury...., equal protection for all persons." This association was affiliated with the National Emergency Conference for Democratic Rights. (61-7582-1298, p. 1136)

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Among the sponsors for the conference were Owen Lattimore and Mrs. Owen Lattimore.

In this connection, a Bureau memorandum dated May 12, 1944, entitled "Vice President Henry Wallace's Trip to China and Russia, Information Concerning," contains a summary of information on Owen Lattimore in which it is stated: "He is also noted as a member of the National Federation for Constitutional Liberties." The memorandum further states: "On February 12, 1941, he appeared on the same program with Frederick V. Field, Secretary of 'Amerasia' and Executive Secretary of the American Peace Mobilization, at a rally held in Washington, D. C., sponsored by the American Peace Mobilization." (100-1170-49; 62-71788)

These statements are significant inasmuch as both the National Federation for Constitutional Liberties and the American Peace Mobilization have been designated by the Attorney General as being organizations within the purview of Executive Order 9835.

An effort was made without success to locate specific references in Bureau files to Lattimore's membership in the NFCL and his appearance on an APM Program. (100-1170-49; 62-71788)

The references of 100-1170-49 and 62-71788 on which the statements in the memorandum were based contain information from the report of Special Agent T. W. Dawsey dated March 10, 1941 at Washington, D. C., entitled "National Federation for Constitutional Liberties, Internal Security - C." On page 49 of that report the following statement appears: "The following is a list of names and addresses of individuals and organizations contained in the active indices of the National Federation for Constitutional Liberties. It is believed that those are the names of individuals.... interested in social legislation who might participate in a national lobby against legislation objected to by the National Federation for Constitutional Liberties."

On page 52 of this report, the names of Dr. and Mrs. Owen Lattimore, Johns Hopkins University appear on the list, which is not identified as a membership list. (100-1170-73; 49; 62-71788)

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The further reference to Lattimore's appearance at a rally sponsored by the American Peace Mobilization, above referred to in the memorandum of May 12, 1944, could also not be substantiated by a specific reference in Bureau files. It should be noted that the Dies Committee reports contain a reference to a meeting held on February 11, 1941 at the First Baptist Church in Washington under the sponsorship of the Washington Committee for Aid to China, at which Owen Lattimore and Frederick V. Field, Editor of "Amerasia; member of the Board of Trustees of the Institute of Pacific Relations; and Executive Secretary of the American Peace Mobilization were the principal speakers. At this meeting Lattimore was quoted as saying that this country, "although pledged to become the arsenal of democracy, had become the arsenal of aggression." (Dies Committee Report, pages 1688, 1689; 62-7582-1298)

The "Washington Post" of February 12, 1941, also reported that Frederick V. Field, Executive Secretary of the American Peace Mobilization and Owen J. Lattimore spoke at the "Stop Aiding Japan" mass meeting held at the First Baptist Church on February 11, 1941.

In testimony before the Dies Committee, one Zola Arden Clear stated that the Washington Committee to Aid China was a Communist Party front organization. However, there is no reference in the Bureau files to indicate that a similar meeting sponsored by the American Peace Mobilization was held in Washington on February 12, 1941 and it is thought that the reference in the memorandum of May 12, 1944, erroneously referred to the aforementioned meeting. (100-1170-49)

According to the Dies Committee report, the August, 1938 issue of the magazine "Amerasia" listed Owen Lattimore as a member of the editorial board. The report stated that the magazine "Amerasia" dealt with matters of America and the Far East, and specialized in Communist propaganda. (61-7582-1298, p. 18)

In this connection, Bureau files indicate that in the spring of 1945, one Andrew Roth, formerly a Lieutenant in the Office of Naval Intelligence, was arrested with five others, all of whom were charged with having in their possession certain secret Government documents. The charges against Roth were dropped early in 1946, although two persons, Philip F. Jaffe, Editor of the "Amerasia" magazine and Emmanuel Larsen, State Department employee were convicted and were fined \$2500 and \$500 respectively on the aforementioned charge. Roth was a known associate of Lattimore and at least on one occasion was known to have spent the night at Lattimore's home in Baltimore.

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9. Other material contained in Bureau files.

The Maryland Civil Liberties Committee, 513 Park Avenue, Baltimore, Maryland, an affiliate of the American Civil Liberties Union, held a one-day conference on October 19, 1940. The introduction was given by Dr. Owen Lattimore, Vice Chairman. (100-26440-1, p. 13) U

Owen Lattimore and his wife have been prominent in Russian War Relief activities in the vicinity of Baltimore. Mrs. Lattimore was a sponsor of the Russian War Relief, Incorporated for Baltimore, and was on the Advisory Board of Russian War Relief, Incorporated, the national organization. (100-267360-920X1) U

Guenther Reinhardt, a confidential informant of the Bureau, advised that Lattimore attended a Russian War Relief dance in New York which was attended by many prominent Communists and Soviet Ambassador Maxim Litvinoff. Mr. and Mrs. Lattimore were guests of Edward C. Carter, President of Russian War Relief, Incorporated and sat in the Carter box with Litvinoff, Lady Clarke-Kerr and Lillian Hellman. (61-7566-3299) X U

Owen Lattimore wrote a letter of introduction to Robert Sherwood of the Office of War Information for Raakon Chevalier, which he signed as Director of Pacific Operations, OWI. Chevalier was then under investigation as a possible Soviet agent. He had been very active among professional branches of the Communist Party in the San Francisco area, and allegedly was a Party member himself. (100-267360-920X1; 65-56402-292, p. 13) U

Owen Lattimore was included in a partial list of stockholders of the Metropolitan Broadcasting Company of Washington, D. C., who were suspected of Communist activities or sympathies. Mary Jane Keeney, the program director for the company, with whom both Lattimore and his wife are friendly, is now employed by the United Nations Secretariat, is a suspected Soviet agent and a close associate of subjects in the Gregory case. She is also in close contact with numerous satellite diplomatic officers. The Lattimores were observed in 1946 at the Keeney home in Washington. (65-56402-1908, p. 55) U

Lattimore and his wife were also observed in 1947 in company with Dave Wahl, who was described as head of the Communist underground movement in Washington and Vladimir Houdek, First Secretary of the Czechoslovakian Embassy. The meeting apparently was in connection with a trip that Lattimore contemplated to Czechoslovakia. (65-56402-1-1763) U

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In 1945, Lattimore was Honorary Vice Chairman and served on the Board of Directors of Indusco, Inc., or the American Committee in Aid of Chinese Industrial Cooperatives, which is said to be Communist influenced and is currently under investigation by the Bureau as a Communist front. (92-2956-10)

10. Information obtained from public sources.

The Washington "Times Herald" of October 26, 1945, in an article entitled "State Department Sends McArthur Soviet Sympathizers as Aides," reported that, "Another Red sympathizer, if not a Communist, Owen Lattimore, has been named a Special Economic Adviser to Tokyo." (109-12-23-234-A)

The New York Times of April 21, 1947, in an article entitled "Fight Nears Climax in Pacific Institute," reported that Alfred Kohlberg, who had been carrying on a struggle against alleged Communist domination of the professional staff of the Institute of Pacific Relations, explained his contention that the Executive Committee of the Institute of Pacific Relations was dominated by four individuals - Edward C. Carter, Frederick V. Field, Harriet Lucy Moore and Owen Lattimore. (100-64700-A-9)

The "Chicago Tribune" of February 9, 1946, reported a speech in the House of Representatives by Rep. Shafer (R. Michigan), in which he charged that the State Department was being "Stalined" and that one of the Soviet sympathizers sent as an Aide to General McArthur was Owen Lattimore. (62-39749A)

The Washington "Evening Star" of April 9, 1944, in an article headlined, "Expense-Paid Palestine Parley Accused as Extremist Front," reported that at a meeting held at the Statler Hotel, Washington, D. C. on April 8, 1948, sponsored by the American League for a Free Palestine, charges were made by several other organizations that those attending were serving unwittingly as a front for the extremist organization. Among the college professors, Members of Congress and former Government officials attending was Owen Lattimore. (100-316012-A)

The May, 1947 issue of "Plain Talk" charged that the turning point in American Far Eastern policy came with the mission of Henry A. Wallace to China in the summer of 1944. Among his advisors and guides

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on the trip was Owen Lattimore, who was described as the leading propagandist for the doctrine that Chinese Communists are not real Communists but are true Democrats who are "merely innocuous reformers." (94-36511-59) U

United States Army Intelligence Reports in two articles dated February 12 and 13, 1941, entitled "Moscow Derides American Forum of the Air" reported a Radio Moscow attack upon an American Forum of the Air Broadcast from San Francisco in which Lattimore, Congressman Walter Judd and others participated. Radio Moscow reported Lattimore's contention that American armaments were flowing to the Kudemintang Army and that claims that the Chinese Communists were receiving aid from the Soviet Union were completely lacking in proof. (62-73361-440, p. 8) U

An article by Lattimore on "Soviet Policy Toward Minority Peoples," which reflected a favorable attitude toward Soviet policies and an analysis consistently approving Soviet action in the Far East was published in "Far Eastern Journal" and was reprinted in "Soviet Culture in Wartime" in 1944. (123-1212-3) U

Benjamin Holberg, an anti-Communist writer prepared a 26-page document on Communist infiltration in the State Department for the Industrial Conference Board of New York City in 1946 in which he charged that Lattimore was the most important adviser to the State Department on Far Eastern Policy. He was classed as "one of a number of top-flight apologists in this country for Soviet Policy in China, who have written pro-Soviet books and articles, who have addressed and sponsored Communist front organizations, who have been officially associated with important Communist Party members on various boards, but who, nevertheless, blithely deny they are pro-Communist." Holberg said that one of Lattimore's tasks in the State Department was to conduct "orientation conferences and training programs for personnel of the Foreign Service." (62-39749-828) U

Owen Lattimore was named among noted writers who had supported Communist-controlled movements, manifestoes, political candidates and the like in an article entitled "Noted Writers, Actors, Artists and Professors Follow Party Line, Espouse Red Causes," published July 2, 1946, in the "Communist Fifth Column" by the Chicago Journal of Commerce. (100-3-2018 Enc. p. 27) U

The October, 1937 issue of "Amerasia" reported that Philip Jaffe, Editor of "Amerasia" had recently returned from a four-months U

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stay in the Far East, accompanied by two other members of the "Amerasia" Editorial Board, T. A. Bisson and Owen Lattimore. Jaffe interviewed Mao Tse-tung, whom it will be noted is the present leader of the Chinese Communist Government in Peking.

It should be noted that none of the foregoing information was disseminated to outside agencies with the exception of a brief summary furnished to the Attorney General on March 29, 1949 in requesting a technical surveillance.

CIA and the Navy Department were also advised that the Bureau was conducting an espionage investigation in connection with requests for investigation to those agencies on May 22, 1949 and May 15, 1949 respectively.

The State Department has requested a summary of derogatory information, and a memorandum will shortly be furnished that Department.

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copy:

OFFICE OF THE DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Date March 14 1950 Time 4:24pm

Mr. Seth W. Richardson, Loyalty

Review Board - thru secretary

Phone No.

REMARKS

When informed of the Director's absence, Mr. Richardson requested to speak with Mr. Ladd and was transferred accordingly.

Mr. Ladd's office advises that Mr. Richardson believes there is a leak in the Loyalty Review Board. He stated that Senator McCarthy had made a statement this morning about John Stewart Service and this information had not been furnished to the State Department until after McCarthy's testimony of this morning. Mr. Richardson wondered if the FBI could help and Mr. Ladd advised him this appeared to be an administrative matter and that either he, Richardson, or the Civil Service Commission should look into it.

fjw

DIRECTOR'S NOTATION: "Right. H"

112-23278-✓

NOT RECORDED
82 JUN 27 1950

Office Memorandum • UNITED

GOVERNMENT

TO : MR. D. M. IADD *Dr*
 FROM : MR. A. H. BELMONT *Dr*
 SUBJECT: COMMUNISTS IN THE STATE DEPARTMENT

DATE: 3-15-50

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Tolson ✓
 Ladd _____
 Clegg _____
 Glavin _____
 Nichols _____
 Rosen _____
 Tracy _____
 Harbo _____
 Mohr _____
 Tele. Room _____
 Nease _____
 Gandy _____

Former SA B. Downey Rice stopped by to see Mr. Laughlin late in the afternoon of March 14, 1950. Mr. Rice referred to a conversation had with you regarding the list of State Department employees and you suggested that in the event he had any information of interest to the Bureau that we would appreciate obtaining any data he cared to turn over.

Joseph R. McCarthy
 Mr. Rice advised that approximately two or three weeks ago he received information indicating that Senator McCarthy was looking for an investigator. Upon talking to the Senator, Rice agreed to undertake on a fee basis the investigation of certain cases. Mr. Rice said that he was assisted locally by former SA Dale Adams and more recently for a shorter period of time by former SA Don Surine. He added that former SA John Keenan handled some of the leads in New York.

Mr. Rice explained that Senator McCarthy had some information and it was the duty of he and his coworkers to endeavor to develop this material. He said it was a terrifically hard job in that in but a few cases was there any substantive material and, further, since Senator McCarthy was constantly "jumping the gun." Rice mentioned that he and his coworkers did succeed in getting some information on approximately four or five good cases which the Senator was to use in his statement before the Subcommittee on Foreign Relations this week. However, quite obviously, Mr. Rice continued, the Senator was not relying completely on his investigators but must have had some other sources. For example, Rice stated, he and his group furnished the Senator absolutely no information on Dorothy Kenyon. Whoever made material on her available to Senator McCarthy did it "via the back door." Rice said that he suspects that some newspaper reporter gave the Senator the information on Kenyon. He added that the Senator's mentioning her came as a complete surprise to him and the other investigators.

Rice then stated that former Inspector E. P. Morgan had been named as General Counsel of the Subcommittee on Foreign Relations to probe this matter. He was of the opinion that no other members of the staff had been selected at the time of his conversation. He said that he was aware that originally it was intended that the Assistant Counsel would be a Republican but that he, Rice, gathered from talking to Morgan that Morgan wanted a free hand and was not concerned with the political question.

Mr. Rice said that he and the other investigators who assisted him were "out" as of that time and would have no further access to any of the material available to Senator McCarthy.

6 JUL 6 1950
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MAR 17 1950

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gm

Comments in the Department

Dean Acheson

Undermining Foreign Policy

A Communication

WE ARE deeply disturbed by the current attacks upon the integrity and devotion to American interests of the Secretary of State, Mr. Acheson, and the personnel of the State Department.

We are keenly aware of the corrosive results of such attacks upon the efficiency and effectiveness of Government personnel. However much Government officials may steel themselves against irresponsible onslaught, however much they may seek to ignore unfounded personal abuse, their ability to devote themselves to their tasks, to command public confidence and to persuade those with whom they deal are profoundly affected.

It is for this reason that we believe that the irresponsible personal attacks upon Mr. Acheson and the personnel of the State Department represent a serious danger to the national interest. These attacks, sponsored as they are by persons in high position, have the effect of undermining the officials who are in charge of our foreign relations. They are a severe blow to our effectiveness in international affairs.

NO ONE would suggest that it is necessary for Americans to agree on any particular policy advanced by the State Department. All international programs must be subjected to public criticism if they are to receive public support. But the attacks upon the State Department now made are not criticism of its policies. On the contrary, they are attempts to make both Americans and citizens of foreign countries believe that whatever policy the State Department advocates is the product of men who do not have the real interest of the United States at heart. This is being done by innuendo and suggestion of Communist affiliation and sympathy. The effort of the charges is to create suspicion of the motives of those who are engaged in the most difficult task which American diplomacy ever faced.

Nor would it be suggested that officials of the Government, including the State Department, should be immune from criticism or investigation. But to make unsupported charges of Communist affiliation, however disguised or qualified, is base, inexcusable and unpatriotic in a fundamental sense.

ANYONE—including a Senator—who impairs the effectiveness of our international relations for partisan purposes, discredits his party and his office; and anyone who does this by unfounded personal attacks upon the loyalty and integrity of individual public officials, is doubly guilty.

We are forced to conclude that the very purpose of these attacks is to divide the people of this country, for partisan purposes, on the crucial question of foreign policy administration. Certainly its effect is to weaken the position of our officials abroad and to impair their efforts to rally the free nations of the world to united opposition to the spread of communism. No one, except a Communist sympathizer or a vain, reckless and arrogant man would deliberately lend himself to such ends.

We write this letter in the hope that others will join with us in expressing to the State Department, in whose hands our destiny is so largely entrusted, that we believe in its high purpose and integrity and that we regard any attempt to undermine confidence in its good faith as subversive of American interests.

THURMAN ARNOLD,
ABE FORTAS,
PAUL A. PORTER.

Washington.

4-26
Tolson ✓
Ladd ✓
Glavin ✓
Nichols ✓
Rosen ✓
Tracy ✓
Harbo ✓
Mohr ✓
Tele. Room ✓
Nease ✓
Gandy ✓

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Strange these ardent champions of our democracy of alleged fear of subversion never stir these selves when real subversives attack the FBI but in the company join up.

Page 4

Times-Herald

Wash. Post

Wash. News

Wash. Star

N.Y. Mirror

Date: MAR 15 1950

RECORDED - 35
INDEXED - 35

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MAR 20 1950

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58 MAR 21 1950

Director, FBI

March 15, 1950

GUY MOTTOL, SAC, Washington Field 33871

NATIONAL LAWYERS GUILD
INTERNAL SECURITY - C

~~CONFIDENTIAL~~

Senator Joseph R. McCarthy

Informant [] advised on March 14, 1950 that CARL SHIPLEY contacted ROBERT SILVERSTEIN of the Lawyers Guild relative to a radio program on Sunday, March 19, 1950 over Radio Station WABC, concerning the McCARTHY accusations against State Department personnel. SHIPLEY indicated he wanted SILVERSTEIN and some other individual, possibly JOE RANU or somebody from the ADA, to explain the significance of these accusations. SILVERSTEIN agreed to appear on the program and SHIPLEY will advise later of the identity of the other individual.

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The program will be recorded at Station WABC at 5:15 P. M., Friday, March 17, 1950.

Classification upheld
No 909 on 4/10/78

JUN 1 1950
100-1522

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) DATE 4-26-78

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APR 3 1950

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PERSONAL AND ~~CONFIDENTIAL~~

March 15, 1950

The Attorney General

Director, FBI

The Bureau has received two requests that it investigate an alleged leak of information in the President's Loyalty Review Board. These requests emanated from Mr. Seth Richardson of the Loyalty Review Board and Mr. Donald S. Dawson of the White House.

The requests are based on statements made by Senator McCarthy before the Subcommittee of the Senate Foreign Relations Committee, which is looking into the loyalty of State Department employees. In dealing with the case of John Stewart Service, a State Department employee, Senator McCarthy stated that the loyalty case on Service was being referred back to the State Department Loyalty Board by the Loyalty Review Board.

Mr. Richardson, in connection with his request, stated that the decision concerning the Service case had been held very close to the Loyalty Review Board and had not been communicated to the State Department until the afternoon after Senator McCarthy, on the morning of the same day, had referred to the matter.

Mr. Dawson has been advised that the Bureau cannot undertake this investigation in view of the fact that the leak is purely an administrative matter within the Loyalty Review Board.

I also wanted to inform you that Mr. Richardson was advised that this matter is strictly an administrative problem and does not amount to any violation which this Bureau can investigate. It was suggested that either the Loyalty Review Board or the Civil Service Commission handle the inquiry.

EHV:WMLJ

DECLASSIFIED BY 2909
ON 4/10/78 DPG/OLC

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADVISED BY ROUTING
SLIP(S) OF DECLASS.
DATE 4-26-78 DPG

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62 JUN 27 1950

ORIGINAL FILED IN 121-3-244

OFFICE MEMORANDUM - UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: March 15, 1950

FROM : MR. A. H. BELMONT

SUBJECT: LEAK OF INFORMATION
LOYALTY REVIEW BOARD

On March 14, 1950, SA Edward S. Sanders was advised by Chester D. Smith, a personal friend, who is a Civil Service Commission legal advisor to the President's Loyalty Review Board, that apparently Thomas W. Beale, also assigned as legal advisor to the Review Board, is furnishing information to certain Republican Congressmen. Smith advised Sanders that while he could not prove this allegation, he based it upon the fact that the Dorothy Kenyon case was sent to the Loyalty Review Board for a post audit and was assigned to a Mr. Davis for review. Beale allegedly exhibited an extreme interest in the case and, in fact, wrote the review of the case in which he "blistered" the State Department for the stand taken in instant case. The memorandum written by Beale was referred to Mr. Mulloy, under whom the legal advisors operate, and Mulloy returned the case to the State Department by letter which neither approved nor disapproved the stand taken by the State Department. However, according to Smith, the next morning Senator McCarthy severely criticized the State Department for its stand and quoted the stand supposedly taken by the Loyalty Review Board. McCarthy's information apparently came directly from the review written by Beale.

Smith further advised Sanders that Beale spends a great amount of his time abstracting information from Bureau reports, reports from the House Un-American Activities Committee and other sources on 3 by 5 cards which he cross references for personal files in his office. It was stated that this project is not a Civil Service Commission project, is not a part of Beale's official work, and is never used in connection with Civil Service Commission business. It was estimated that Beale had approximately 30,000 of these cards filed alphabetically in his office. It was further alleged that several months ago Beale carried home with him each night a full brief case. Smith did not know what was contained in the brief case but advised there was no reason for Beale to be taking official work home with him at night. Smith further advised Sanders that Beale had made the statement that he could sell the 3 by 5 cards in his file for a considerable amount. Smith did not indicate whether Beale indicated any intentions of "peddling" this information. He did state, however, that the file is strictly personal and that Beale would not go to such lengths to abstract this information "just for the fun of it." Sanders interpreted this remark that Beale either intends to use the cards politically at this time or perhaps for monetary gains at a later date.

According to Smith, in 1944 the Civil Service Commission established, for all practical purposes, that Beale had been furnishing information to Congressmen Wigglesworth, Busby, Reese and Vursell. He further pointed out that Busby was defeated last year for reelection but is running again in the next election and that his campaign is to be based upon the anti-Communist platform. He stated that Busby and his wife have recently visited in Washington, D. C. in the home of Beale.

ECS:mk

MEMO TO MR. LADD

Smith advised Sanders that he was recently approached by telephone by a Mr. Houston, who is with AFGE, a Federal employees union, and was requested to furnish to a representative of an unnamed Congressman information concerning the inside operation of the Loyalty Review Board. Upon Smith's refusal, Houston allegedly remarked to another individual on the other end of the telephone line: "It makes no difference. I have another contact inside the Loyalty Review Board." Smith stated that Beale is acquainted with Houston.

Smith advised that he realized that the foregoing is not conclusive proof that Beale is giving out information, but that there definitely appears to be a leak in the Loyalty Review Board and that it is his personal feeling that Beale is the source of the leak. Smith characterized Beale as a staunch Republican.

The foregoing information was given to Sanders in the strictest of personal confidence with the understanding that it would be passed to you. Smith requested, however, that any action taken by the Bureau in this connection be in such a manner as to not indicate that he had furnished this information. He pointed out that several people working at the Loyalty Review Board are aware of the fact that he and Sanders are personal friends and that they would naturally suspect him of furnishing information to the Bureau. He advised that he is willing to furnish to the Bureau through Sanders any information he may have or may be able to obtain. He advised that his actions are not motivated by any personal dislike for Beale, but that he did not feel that the information in the Board should be divulged to other persons.

Sanders has advised that Smith originally set up the Civil Service Commission subversive files and has a number of years of experience in Civil Service investigative and administrative work. He is further described as a stable, reliable person.

RECOMMENDATION:

The foregoing is for your information and in accordance with your instructions to Sanders to submit this memorandum inasmuch as this matter would be of interest to the Director.

12:35 PM

March 24, 1950

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS

43504

Mr. Peyton Ford called me with reference to the meeting of the Subcommittee of the Senate Foreign Relations Committee held this morning in the and Lodge were present. I commented that I certainly could not agree with Senator Lodge's attitude about issuing a statement and Mr. Ford agreed and stated that he had gotten a final agreement that if there was one leak about the meeting or anything connected with it then a statement would be issued promptly. I commented I certainly felt the Attorney General was entitled to that consideration. Mr. Ford then read to me a rough draft of a proposed statement to be used in the event of a leak and asked for my opinion. The statement is as follows:

"Senator Millard D. Tydings and members of the Subcommittee investigating charges of subversives in the State Department met with the Attorney General J. Howard McGrath, Department of Justice, this morning on the invitation of the Attorney General for the purpose of giving to the Subcommittee such information as the Attorney General felt he could give to them consistent to the best interests of the United States. The Federal Bureau of Investigation, under the direction of J. Edgar Hoover, prepared for the Attorney General complete analysis of the FBI files with respect to the one name on which the Committee sought the cooperation of the Department. The Attorney General read this complete summation to the Committee and both he and Director Hoover gave to the Committee a very complete statement on the file in this particular case and also a statement with respect to making available to Congressional Committee FBI files. The Attorney General pointed out to the Committee that the contents of this file must be kept in complete confidence, and the fact that such a file was in existence was not to be construed as any reflection on the person involved as it is standard procedure to investigate all allegations made. Attending the conference et cetera *****The President of the United States is fully advised By the Attorney General in this matter."

I stated that I thought this statement was all right because I felt there was bound to be a leak someplace. I stated I wish a public hearing could have been

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held this afternoon because we could have gotten a statement up in time for my appearance there that could have nailed it then. As it is I stated that because of Senator Lodge's position in the matter it will have to go over under Monday which is likely to cause a lot of speculations and charges being made up and down the country as to what the mystery is all about.

I told Mr. Ford the thing that concerned me, and which I did not care to mention at the meeting this morning, was that Senator Hickenlooper was not present and I was wondering if the agreements were binding as far as he was concerned because I certainly did not feel that the summary which was read at the meeting should be made public at any hearing. Mr. Ford stated that Senator Hickenlooper was bound by them and that he, Ford, would see that the summary was not introduced. Mr. Ford stated that if any other questions were asked of me the Attorney General and he would object to them, and upon my query as to whether the Attorney General would be back from New York in time for the hearing, Mr. Ford replied that he would be back in time.

Very truly yours,

John Edgar Hoover
Director

42505

cc-Mr. Nease

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March 24, 1950

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS

43502

Peyton Ford called and said there was to be a meeting in the Attorney General's Office at 10:30 which was to be attended by Senators Tydings, McMahon, Green and Lodge and he wanted me to be present to answer two questions: namely. "is this in a summary of your files - yes" and to ask for any views I have on the production of reports. Mr. Ford stated they were not going to discuss anything else. I told him I would be there.

Very truly yours,

John Edgar Hoover
Director

cc-Mr. Nease

JEH:EH

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UNITED

GOVERNMENT

Mr. Ladd
Mr. Clegg
Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

TO : Director, FBI
FROM : GUY HOTTEL, SAC, Washington Field
SUBJECT: COMMUNISTS IN THE STATE DEPARTMENT
(Allegations by Senator Joseph R. McCarthy)
LOYALTY OF GOVERNMENT EMPLOYEES

49870

DATE: March 15, 1950

Attention: Assistant Director D. W. Ladd

In accordance with verbal instructions of Assistant Director D. W. Ladd to Special Agent in Charge Guy Hottel on March 7, 1950, Special Agents Kenneth D. Annenson and William J. McGrath, Jr. attended the hearing of the Sub-Committee of the Senate Foreign Relations Committee on the investigation of State Department personnel held at the Caucus Room, Senate Office Building on March 14, 1950.

During the afternoon session of this Committee meeting, Miss KENYON appeared before the Sub-Committee in response to her request and to answer the allegations made by Senator Joseph R. McCarthy.

Miss KENYON furnished background information concerning herself and answered the charges by stating that she is not and never has been a Communist, Fellow Traveller, supporter of, member of, or sympathizer with any organization known or suspected of being controlled or dominated by Communists. Her denial was intended to be all inclusive. She advised that she was a member of Americans for Democratic Action, American Civil Liberties Union, was a registered Democrat, and defined herself as being an independent liberal Rooseveltian Democrat devoted to and working for the working conditions of labor and the preservation of Civil Liberties.

She then followed the list of organizations which she was alleged to be a member of and which she procured from the newspapers and offered her explanations for each of the allegations.

Miss KENYON had a special text which she read to the Committee concerning the foregoing and a copy of this text is enclosed herewith.

Senator Hickenlooper, a member of the Sub-Committee, then proceeded to question Miss KENYON regarding the exhibits which had been turned over to the Sub-Committee by Senator McCarthy and Miss KENYON followed as her answers those which had been given to the Committee in her prepared text. For those organizations of which she stated she had no prior knowledge, she advised that she either had no information in her files, could not remember being active in them, or advised that she had withdrawn from the organization once she found out what the general purpose of it was.

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Senator Hickenlooper produced a photostatic copy of an article appearing in the Daily Worker on February 10, 1944, which reflected a letter sending greetings to the Women of the Soviet Union. He pointed out that Miss KENYON's name appeared as one of the signers to this letter. Miss KENYON stated that she, along with other notable persons such as DOROTHY THOMPSON, had sent this letter of greeting to the Women of the Soviet Union, but pointed out that this was at the height of the war effort when the United States and Soviet Russia were considered close allies, and that she and the other signers did wish to express their admiration for the part the Soviet Women played in the war effort.

Senator Hickenlooper also called to Miss KENYON's attention a news story which appeared in the Times Record, Troy, New York, on January 17, 1950, reflecting the account of a spy. Miss KENYON had made before a group in regard to the trial of ALGER HISS. This article quoted Miss KENYON as saying that the trial of ALGER HISS was a result of the hysteria brought about by the House Investigative Committee. She was also quoted as saying that there was no direct evidence to prove the accusations against HISS. In answering, Miss KENYON stated that these statements were correct as she recalled, and remembered also saying that she felt that any jury that might be selected to try ALGER HISS would be prejudiced to a certain degree. She felt that it would be impossible to get a fair jury for the trial of HISS because of the hysteria built up by the House Committee on Un-American Activities about the case.

Miss KENYON further added that she had always been a champion of Civil Liberties and a fighter for the cause of the underdog and that she felt that the terming of an organization as being subversive without direct process of law was in itself a violation of civil liberties.

In further defense of her statements that she was not a Communist, or Communist sympathizer, Miss KENYON stated that since she has been at the UN she has constantly fought with her Russian equal on the Board who is a Madame POPOVA. She also cited the release of a news item from Moscow which was critical of her work at the UN and her fight with her Russian counterpart.

During the proceedings, Miss KENYON was asked whether or not she had ever been questioned about her membership in these organizations by anyone at the State Department, to which she answered definitely no. In response to a question she stated that she would have appreciated and been delighted to have been questioned concerning any allegations or questions which might have been reflected in her file.

In closing the hearing, Senator McMahon of Rhode Island, produced a letter which he had received and which Miss KENYON's counsel read into the record. This letter was from a group of prominent New York attorneys attesting the loyalty and fine character of Miss KENYON.

ENCLOSURE

(2)

League of Women Shoppers

I begin with the League of Women Shoppers because my connection with that organization, which was set up to investigate labor disputes, is ancient history and it was also very short-lived. Evelyn Preston Baldwin, wife of Roger Baldwin and a close friend of mine, became its president at its founding in 1935 or thereabouts. I was a sponsor. We both withdrew a year or so later. I remember that I did so because I did not approve the way the investigations were being handled. If it was communist then, neither of us knew it.

(3)

Political Prisoners' Bail Fund Committee

The Political Prisoners' Bail Fund Committee is also ancient history.

I have no documentation on this organization in my files but I remember that I served as sponsor for a short time at the request of Roger Baldwin. Mr. Baldwin, who was a trustee of the Fund, tells me that he and others set it up about 1925 to write bail in a great variety of worthy cases, some may possibly have involved communists but most of them definitely did not. It was liquidated about 1934. He regarded it as wholly non-partisan and non-communist. It is significant that it is apparently not on any subversive list. It is described in the charges merely as subsidiary to the International Labor Defense, which is on the subversive list. The connection between them is not stated.

"No evidence of subsidiary of ILD"
(4) (x)

Consumer's Union

The Consumer's Union is also ancient history. I have never represented Consumer's Union. I had acted as attorney for Consumer's Research in its incorporation and for several years thereafter prior to 1935 but I never acted for Consumer's Union. Consumer's Union came

Thus far I have not been confronted with this documentary proof and as I am totally unaware of the contents of most of the documents, I am in no position to make any categorical denials or assertions regarding such statements as they may contain. Here and now, however, I can and do state, with the absolute confidence borne of my personal and positive knowledge, that there does not exist and never has existed any genuine document that proves or even tends to prove that I have ever knowingly joined or sponsored or participated in the activities of any organization known to me to be even slightly subversive.

Frankness and caution admonish me to avoid creating false impressions or otherwise putting myself in the position of the lady who protested too much. I cannot and do not deny that my name may have been used, even at times with my consent, in connection with organizations that later proved to be subversive but which, at the time seemed to be engaged in activities or dedicated to objectives which I could and did approve. Nevertheless I challenge and defy anyone to prove that I ever joined, or sponsored, or continued to identify myself with, any organizations or individuals I knew, or had reason to believe, were subversive.

I do not even know the names of all the 28 or more Communist Front Organizations I am supposed to have joined. I have taken the list of organizations from the published reports in the press. The names may not be quite accurate and the list is apparently incomplete. It was impossible for me to identify some of the names and events described in those charges. I have done the best I could, however, in the brief time since hearing of them and have searched my files, and my own memory in respect to each one. If any further organizations are alluded to today I shall ask the Committee's indulgence for time to investigate and make my replies thereon at a later date.

My interest in education, in labor problems and in the problems of women made me an early member of the American Association of University Women, of which I am now second vice-president. I am also a member of the National Board of the Y.W.C.A., a director of the Women's City Club of New York, the Association for the Aid of Crippled Children, and the Committee of Women in World Affairs. I was also for many years on the board of the Consumers' League of New York and was for a time its President. I am also a member of numerous other women's organizations.

I am, and always have been, an independent, liberal democrat, *Rooseveltian* devoted to and actively working for such causes as the improvement of the living and working conditions of labor and the preservation of civil liberties. To the latter cause especially I have given much time and attention and have made speeches on that subject for many years in various parts of the country. ~~At times I have espoused~~ unpopular causes in that connection and have probably made some enemies of those who disagreed with my views.

I am, and always have been, an ardent, outspoken American citizen, yielding to no one in my admiration of the great privileges this country offers to all its sons and daughters and determined to do all I can to maintain those privileges inviolate forever. I am, and always have been, unalterably opposed to anyone who advocates the overthrow of our Government by force or violence or who otherwise engages in subversive activities or entertains subversive ideas.

I am not content to rely on these general denials and observations, and therefore proceed to deal more specifically with the charges against me. In substance, as I understand it, it is claimed that it can be established by documentary proof that I have been at some time a member of 28 or more Communist Front Organizations and therefore stand convicted under the doctrine of guilt by association.

jurists (of whom I was the only American) to study the legal status of women throughout the world. This Commission continued to operate until the war made further communication between the members impossible. I have also served on a number of governmentally appointed Commissions and committees dealing with such subjects as the regulation of employment agencies, minimum wage legislation, consumer cooperative corporations, problems growing out of the war-time employment of women, etc. I have also done a small amount of labor arbitration.

My interest in good government led me early into the ranks of the League of Women Voters, of which I have been a member for almost thirty years and which I have served in many capacities and offices. It also led me into the Citizens Union of New York, of whose Executive Committee I have been a member for almost twenty years. When the American Labor party was formed in New York I was one of its earliest members but I left it after our efforts to save it from communist domination finally failed. I am now an enrolled Democrat. I am also a member of Americans for Democratic Action.

My interest in civil liberties led me equally early into the ranks of the American Civil Liberties Union, of which I have been a member of the board for almost twenty years. In that connection I have fought on many civil liberties issues and have participated in many briefs amicus in defense of the bill of rights.

people and my impulse to fight for them is my religion and it is the light by which I live. I also believe that it is America. There is not a communist bone in my body.

This is a matter of grave consequence to me. Literally over night, whatever personal and professional reputation and standing I may have acquired after many years in private practice and some in public office, have been seriously jeopardized, if not destroyed by the widespread dissemination of charges of Communistic leanings or proclivities that are utterly false. The truth may never catch up with the lie, but in so far as I can, I desire to regain as much of what I have lost as possible and I have faith that this Sub-Committee will see that justice is done. Of course I am more than willing to attempt to answer any questions the members of this sub-committee, or anyone permitted by the sub-committee, may care to ask. I conclude with an expression of my appreciation of the opportunity and privilege afforded me so promptly, to answer these charges at this public hearing.

The issue was always slavery versus freedom. I raised the point over and over again in writings, speeches, at meetings, even over the Voice of America.

Eventually Moscow answered back. -- Maria Sharikova, Assistant Chairman of the Moscow Soviet on the Rights of Women is reported on January 5, 1949, to have said:

"Dorothy Kenyon, in endeavoring to conceal her reactionary stand has engaged in slandering the Soviet people, in particular Soviet women. In a radio broadcast over the Voice of America, she talks a lot of irresponsible drivel attempting to deny the political, economic, and social equality enjoyed by the women of the USSR, at the same time painting a glowing picture of the position of women in Britain and the United States, when she knows full well what their position really is. 'I am shocked at this shameful downright lie, completely unsupported by the tiniest fact.' As it happens, Dorothy Kenyon could not quote facts for that would at once disprove her assertions.

"Dorothy Kenyon had engaged in slandering the 'freest women on earth, the women of the USSR.' However, as any of the thousands of visitors to the USSR can witness, 'the slander indulged in by Dorothy Kenyon can hoodwink no one.'"

This is my defense. What does it add up to? With all the mistakes and errors of judgment which the best of us can and do commit only too frequently, I submit that the record proves without question that I am a lover of democracy, of individual freedom and of human rights for everybody, a battler, perhaps a little bit too much of a battler sometimes, for the rights of the little fellow, the under-dog, the fellow who gets forgotten or frightened or shunned because of unpopular views but who is a human being just the same and entitled to be treated like one. The converse of these things; dictatorship, cruelty, oppression and slavery are to me intolerable. I cannot live in their air, I must fight back. This is not perhaps a very wise or prudent way to live but it is my way. It has got me into hot water before and probably will again. But my faith in

This was signed, among many others, by Mrs. J. Borden Harriman and Ambassador Lewis W. Douglas. (See attached photostat),

This history of my efforts during the crucial years 1940-1941 hardly needs any gloss but it should give pause to those who dare to call me a Communist.

After Russia had been attacked we all changed our viewpoint slightly and many of us made earnest efforts to be friends with our new allies. I do not apologize for that impulse or effort. I think it was right and good.

However we failed. When the war ended the cold war began and it is intensifying. I have been in the thick of it. Confronted with Madame Popova of the U.S.S.R. at the United Nations I have had a fight on my hands from the outset. At the first meeting of our Commission on the Status of Women held in February, 1947, she sought preferential treatment for her particular pet organization, the Women's International Democratic Federation, (of which the Congress of American Women is the United States affiliate). I battled her on eight different occasions during that first meeting on that one issue alone, practically single-handed since some of the other delegates did not yet know what it was all about. They know now, though. The reports and summary records of the Commission's proceedings tell the tale.

The struggle went on at subsequent Commission meetings. It reached its peak at Beirut, Lebanon, last spring (See New York Times clipping of March 26, 1949, attached), when after bitter debate over many things, including equal pay for equal work, I finally demanded of Mme. Popova whether women received equal pay for equal work in the Soviet slave labor camps.

The Communist party line in 1940-41 was anti-war, anti-French and anti-British. But it was not my line. Being on the contrary passionately pro-French and pro-British I became increasingly anxious to aid them as the months passed by, first by all means short of war and later by war itself if need be.

I was one of the original members of the so-called William Allen White Committee to Defend America by Aiding the Allies.

William Allen White in a telegram invited me to join saying,

"Here is a life and death struggle for every principle we cherish in America, for freedom of speech, of religion, of the ballot, and of every freedom that upholds the dignity of the human spirit. Here all the rights that the common man has fought for during a thousand years are menaced. Terrible as it may seem, the people of our country cannot avoid the consequences of Hitler's victory or of those who are or may be allied with him. A totalitarian victory would wipe out hope for a just and lasting peace."

(See telegram of William Allen White dated -- 1940, and letter attached dated June 19, 1940, bearing my name as a member.)

I favored giving Great Britain overage destroyers, I favored Lend Lease, selective service, etc., etc. I made many speeches during that period extolling freedom, urging aid to the Allies and criticizing the isolationists and the Communists alike for their opposition.

On May 26, 1941 (a month before Hitler attacked Russia) I joined with other members of that Committee in an Open Letter to the President of the United States, in effect inviting him to declare war on the dictators. It read in part:

"We cannot close our eyes to the wholesale murder of liberty..... The dictators have extended their world war and world revolution from continent to continent The challenge is inescapable. We know that strong action, even armed action, will be required of us."

In the early years of my life I knew very little and cared less about Communists. They were an utterly negligible factor in my life. During the thirties, however, as world tension increased, they began showing their hand, and by the end of that period, I, like others, had come to know and loathe their philosophy. The signing of the Hitler-Stalin Pact in October, 1939, suddenly made the issues startlingly clear. I voiced those issues in a letter I wrote to Alex Rose, Secretary of the American Labor Party, under date of October 10, 1939, as a statement for him to use in conjunction with my candidacy as Judge of the Municipal Court:

"I regard with horror and loathing the Hitler-Stalin Pact. I agree with you that any fusing of the brown and red dictatorships is a treacherous blow to world civilization, etc." (See attached photostat of letter).

Events moved so quickly after that, by February, 1940, we had been forced to form a Liberal and Labor Committee, of which I was a member, to safeguard the American Labor Party and to fight the Communist attempt to capture it. (See attached photostat of leaflet). At the same time the American Civil Liberties Union found it necessary to purge from its own Board all non-believers in civil liberties. This action barred from its governing councils anyone "who is a member of any political organization which supports totalitarian dictatorship in any country, or who by his public declarations indicates his support of such a principle". Within this category we include organizations in the United States supporting the totalitarian governments of the Soviet Union and of the Fascist and Nazi countries (such as the Communist Party and the German-American Bund and others); as well as native organizations with obvious anti-democratic objectives and practices." Needless to say, I was not one of those purged, and I am still a member of that board.

(17)

Advisory Committee of the Citizen's Committee to
Aid Striking Seamen

(18)

Milk Consumer's Protective Committee

I can find nothing on any of these matters in my files and have no memory of them except a vague recollection of the Gerson and Schappes controversies. If I participated in either of them in any way I have completely forgotten it and I am certain that I never approved or endorsed Communist activities in those or any other matters.

(19)

Congress of American Women

This is one organization I know something about. It is the American affiliate of the Women's International Democratic Federation, a wholly Moscow-controlled body over which I have been battling with Mme. Popova of the U.S.S.R. at the United Nations for all the years since the creation of the Commission on the Status of Women. To charge me with membership in this organization is nothing short of fantastic.

This completes the roster of specific charges.

One general charge remains, my "constant adherence to the ... party line," as evidenced by this alleged multiplicity of associations, (actually boiled down to a handful and most of them before 1940). Well, how about it? Is this all I have done? Is this the whole of my life? Emphatically, No. I have done many other things, some of them strangely inconsistent with the party line, some of them in flat contradiction to it. Let's look at the record, in the round and not just a distorted fragment.

(11)

American Committee for Democracy and
Intellectual Freedom

I have no recollection of documentation in respect to signing a petition in my files. I do have correspondence, however, showing that in 1940 I accepted membership on a Citizen's Committee to promote free public education. The letterhead lists many distinguished college presidents and professors, including Miss Park, former President of Bryn Mawr and Professor Harold Urey. This organization is not on the Attorney General's list.

(12)

Greater New York Emergency Conference on
Inalienable Rights

I can find nothing on this in my files but I find a press clipping reporting a meeting held in New York February 15, 1940, at which Newbold Morris and Mary Woolley, former President of Mt. Holyoke College, were listed as speakers.

(13)

Advisory Board of Film Audiences for Democracy
and Advisory Board of Films for Democracy

I can find nothing on either of these organizations in my files. I may possibly have made a speech before them. Neither of them are on any subversive list that I can find.

(14)

Shappes Defense Committee

(15)

Daily Worker Letter on Simon W. Gerson

(16)

American Committee for Anti-Nazi Literature

"The President has asked me to extend to you every good wish for the success of the meeting and to assure you of his interest in all efforts to continue the good relations between this country and the Soviet Union."

As for the Red Dean of Canterbury, I certainly never welcomed him at Madison Square Garden or anywhere else. I surmise that the fact that my name remained on the sponsor list longer than it should have is the explanation of this incident.

(7)

American Russian Institute

I have no recollection of sponsoring the dinner in question but, since it was given in honor of President Roosevelt, it would not seem inappropriate had I done so.

(8)

American Lawyers' Committee on American Relations
with Spain

Now for the group connected with Spain. This committee was apparently working early in 1939 to lift the embargo on Spain, which was defeated by the combined efforts of revolutionary forces within ^{that country} the community plus Hitler and Mussolini. This organization is not on any subversive list that I can find *and I was on it*

(9)

Washington Committee to Lift the Spanish Embargo

As for the Washington Committee I can find nothing on this in my files.

(10)

Veterans of Abraham Lincoln Brigade

The Abraham Lincoln Brigade probably belongs in here too. I have no recollection or documentation for this whatever. Furthermore, if the petition which they say I signed really contained a charge that war hysteria was being whipped up by the Roosevelt Administration it is inconceivable that I could have signed it, since I myself was then passionately pro-ally and in process of trying to force our government into greater and greater activity in their behalf rather than less.

June 15, 1949
"Gentlemen:

I am advised that you are still carrying my name on your letterhead as a sponsor of your organization.

I became a sponsor in 1943 or 1944 when the Germans were at the gates of Stalingrad and the United States was deep in admiration of the great courage of the Russian people. Anything which looked toward genuine friendship between the peoples of our two countries was highly desirable. Since then, however, your policy, as I have had occasion to observe it in the press, has had less and less to do with development of genuine friendship between the peoples of our two countries and more and more to do with mere apologetics for the Russian Government, which you have supported no less consistently than you have attacked the United States. This is no way to build friendship and it makes a mockery of your name and alleged purposes. My sponsorship of the Council as a genuine organ of friendship between the peoples has therefore long since lapsed.

I have previously requested you to remove my name from your list of sponsors and I must now insist that you do so.

Sincerely yours"

I assume that my name has been removed by now, although I have no way of being sure. I have no apologies whatever for sponsoring this organization at the time I did and under those circumstances.

As indicative of the standing it had, it is significant that President Roosevelt himself sent a message of greeting to the Council at its meeting on November 16, 1944, reading as follows:

"I am grateful to you and all those who are celebrating American-Soviet Friendship Day for the words of support and confidence I have received. There is no better tribute we can hold out to our Allies than to continue working in ever-growing accord to establish a peace that will endure. The Dumbarton Oaks Conference was a step in this direction. Other steps will be taken. In line with this objective such meetings as you are holding in Madison Square Garden and in other great centers throughout the United States are of tremendous assistance and value."

and that President Truman followed it up by another greeting on November 14, 1945, reading as follows:

into existence, as I recall it, following a strike and split-up of the business into two organizations. They both test merchandise and give advice as to good buys. This is where I had my short acquaintance with Arthur Kallet. He was with Consumer's Research and later with Consumer's Union.

(5)

Conference on Pan-American Democracy

The Conference on Pan-American Democracy comes next. I find a letterhead in my file listing me as a sponsor of this organization dated March 4, 1939, along with ^{now} Senator Paul A. Douglas, John Haynes Holmes, Quincy Howe, Stanley Isaacs, and Dr. Ralph W. Sockman, all friends of mine. I remember almost nothing about this organization except that I think I may have spoken before it in 1938 or thereabouts. I have never heard of it since. I certainly had no idea at that time that it was communist and I am sure my other sponsor friends had no such idea either.

(6)

National Council of American-Soviet Friendship

Now for the National Council of American-Soviet Friendship. I was never a member of this organization but I became a sponsor of it (along with many distinguished people) at the height of the war effort (in 1943, I think it was), when the Russians were making their stand before Stalingrad and many of us believed that friendship with the people of Russia was both possible and good. I withdrew my sponsorship some three years later, when I had become convinced that the organization was no longer being used for the purposes stated in its title. Not long ago a friend told me that my name had not been removed from the sponsor's list as I had requested, and I wrote demanding its removal. I quote that letter:

(1)

First, let me deny acquaintance with practically every one of the persons mentioned in the charges as being "familiar company" to me, "collaborator," or "fellow red." I do not know and have never to my knowledge laid eyes on Bernhard J. Stern, Albert Maltz, Anna Louise Strong, William Gropper, Langston Hughes, Hewlett Johnson, Ben Gold, Lee Pressmen, Whittaker Chambers, Howard Fast, Saul Mills, Ella Winter, John Howard Lawson, Henry H. Collins, Rockwell Kent, Lewis Merrill, Mervyn Rathborne, Dirk J. Struick, Harry Bridges, Paul P. Crosbie, Benjamin J. Davis, Charles Krumbein, Morris V. Schappes, Simon W. Gerson, Louis Weinstock, Irving Potash, Helen Selden, or Josephine Herbst.

I once heard Paul Robeson sing at a concert. Harry F. Ward was, in the thirties (before its communist purge), chairman of the board of the American Civil Liberties Union and I of course knew him there. Corliss Lamont is still on its board. I met Carol King years ago, before she went "left," but I have seen hardly anything of her in many years. Arthur Kallet's name I vaguely remember, as I vaguely remember Consumer's Union, but he and it date back in my memory at least fifteen years and, if he were a communist then, I did not know it.

I may be pardoned for putting the other names mentioned in a different category. They are Mrs. Dean Acheson, Stanley Isaacs, Philip Jessup, and Franklin D. Roosevelt. I am proud to say I have had a slight acquaintance with them all.

To repeat, the rest are unknown to me, except as above mentioned, and the innuendoes as to my relationship with them absolutely false.

Now for the organizations themselves.

I received my A.B. degree from Smith College and my law degree (Doctor Juris) from New York University Law School. I am a member of Phi Beta Kappa and have been for several years a Senator of the United Chapters of Phi Beta Kappa.

I come of a family of lawyers, my father having been a patent lawyer in New York City where my brothers and a cousin now practise under the firm name of Kenyon and Kenyon. My father's cousin, William S. Kenyon, was for many years a member of the United States Senate and later a Federal Judge in Iowa.

I was admitted to the Bar in 1917 and have practised law continually ever since except during certain periods when I held public office. Mine is a general practice. I am a member of the Bar Association of the City of New York, the New York County Lawyers' Association, the New York State Bar Association, the American Bar Association, the National Women Lawyers' Association, the American Society of International Law, the American Branch of the International Law Association, and several others.

I have held public office three times, first from June 1, 1936, to December 31, 1937, as Deputy Commissioner of Licenses by appointment of Mayor Fiorello LaGuardia, second from January 1, 1939, to December 31, 1939, as Municipal Court Judge in New York City, also by appointment of Mayor LaGuardia, and third, from January 1, 1947, to December 31, 1949, as U.S. Delegate to the Commission on the Status of Women of the United Nations, by appointment of President Truman, ratified and confirmed by the Senate. I was also appointed in January, 1938, by the League of Nations as one of a Commission of seven

notice or warning to me.

My answer to these charges is short, simple and direct. I am not, and never have been, a Communist. I am not, and never have been, a fellow traveller. I am not, and never have been, a supporter of, a member of, or a sympathizer with any organization known to me to be, or suspected by me of being, controlled or dominated by Communists. As emphatically and unreservedly as possible, I deny any connection of any kind or character with Communism or its adherents. If this leaves anything unsaid to indicate my total and complete detestation of that political philosophy, it is only because it is impossible for me to express my sentiments. I mean my denial to be all-inclusive.

So absolute a negation of the charges should be supplemented with an equally positive, but brief, affirmation of what I am and have been.

121-23278-57
ENCLOSURE

STATEMENT OF MISS. DOROTHY KENYON
BEFORE SENATE FOREIGN RELATIONS SUBCOMMITTEE

TUESDAY,

MARCH 14, 1950

FOR RELEASE
AFTER 2:00 P.M.

My name is Dorothy Kenyon. I live at No. 433 West 21st Street, New York City. I am a practising lawyer with offices located at No. 50 Broadway, New York City.

When I was informed of the accusations that were made against me before this subcommittee last week, I did explode. Doubtless my indignation led me to make some impulsive remarks in unparliamentary language. Reflection, and a recollection refreshed by such investigation as I could make in the interim, now permits a much more dispassionate approach. However, nothing can diminish the deep resentment I feel that such outrageous charges should be publicized before this subcommittee and broadcast over the entire nation without any

Mr. Tolson	✓
Mr. Ladd	✓
Mr. Clegg	✓
Mr. Glavin	✓
Mr. Nichols	✓
Mr. Rosen	✓
Mr. Tracy	✓
Mr. Harbo	✓
Mr. Belmont	✓
Mr. Mohr	✓
Tele. Room	✓
Mr. Nease	✓
Miss Gandy	✓

March 17, 1950

MR. TOLSON:

As a matter of interest, Peyton Ford told me today that he has a very high regard for Jack Peurifoy at the State Department. He stated Millard Tydings had put Peurifoy in a bad position by making the announcement the State Department had promised free and unlimited access to the files of persons suspected of being disloyal or security risks; that after this statement appeared Peurifoy contacted Tydings and Tydings stated that he deliberately issued the statement because he thought it would be good public relations to show the State Department was ready, willing, and able to cooperate. Peurifoy told Tydings the agreement was that the President would wait to hear what the specifics of McCarthy's charges were and would then make a decision. Tydings waived this off by stating it was a matter they could meet later on.

JOSEPH R

I asked Ford if Peurifoy wasn't in a spot in making available State Department files to the Appropriations Committee in 1947. He stated Peurifoy was very much upset about this since he had done this on the orders of General Marshall who had made the statement before one of the Committees that the State Department would make available the files. I told him my recollection was that Congressman Busby was carrying a letter around addressed "To Whom It May Concern," signed by Peurifoy, to people in the State Department instructing the files be made available to them. He stated that should this ever become an issue apparently Peurifoy has an explanation.

L. B. Nichols

LBN:FML

Peurifoy always has "explanations" of that he what they are called.

RECORDED - 124

INDEXED - 124

121-23278-52

MAR 24 1950

37

51 MAR 29 1950



Harris & Ewing

ENVOY RETURNS—Dr. Philip C. Jessup and Mrs. Jessup are pictured upon their return to Washington last night after a hurried trip from the Far East. Dr. Jessup, United States Ambassador-at-Large, came back to answer charges by Senator McCarthy that he has an affinity for Communist organizations.

Wisdom of Documenting

In his letter to Tydings, McCarthy said the recall of Service "amply demonstrated" the wisdom of his past procedure in slowly but fully documenting all his cases. He said he had hoped to document all of the 81 cases equally well, but finally decided to comply with Tydings' demand. He will furnish the names to the subcommittee in secret, he said.

When Tydings told reporters earlier in the day that he was promised access to the files, he said that he had called John E. Peurifoy, Assistant Secretary of State, and found him perfectly willing to make the files available.

The method by which this will be done, however, is not yet decided, Tydings said. He added that there is no question of him attempting to use powers of subpoena voted to his subcommittee by the Senate. The word "subpena" was not even mentioned in his conversation with Peurifoy, Tydings stated.

Search May Be Enough

It may be that Tydings will be content to send his investigators to the State Department to look

at the files, rather than take physical possession of them in the Capitol.

Tydings seemed himself a little dubious about the wisdom of a congressional committee searching executive branch files.

He pointed out that Presidents since Washington of several parties, had resisted attempts by Congress to obtain executive papers, and their power to do so had never been successfully gainsayed.

"So if President Truman lets the committee have the files," Tydings went on, "he will be creating a precedent. No doubt it will be seized upon to plague him by those who will ask for files they know pretty well in advance he is not going to let them have, so as to make a political football out of the situation."

"But in spite of that, the State Department indicates rather precisely that in the instant matter it will make the files available."

121-23-70-52

Tolson ☒
 Ladd ☒
 Clegg ☒
 Glavin ☒
 Nichols ☒
 Rosen ☒
 Tracy ☒
 Harbo ☒
 Mohr ☒
 Tele. Room ☒
 Gandy ☒

State Dept. To Open Files In Loyalty Quiz

Tydings Announces

Promise of 'Free, Unlimited' Access

By Alfred Friendly
Post Reporter

Senator Tydings (D., Md.) announced yesterday that the State Department has promised him "free and unlimited" access to its files of persons suspected of being disloyal or security risks.

At the same time, Senator McCarthy (R., Wis.), whose charges of Communist infiltration in the State Department Tydings and a Senate Foreign Relations Subcommittee are investigating, said he would "reluctantly" give Tydings the names involved in 81 cases.

McCarthy outlined these cases, without giving names, in a Senate speech on February 20. Tydings has been seeking the names from McCarthy ever since the investigating subcommittee was set up. Yesterday, talking to reporters, he repeated the demand in sharp words.

A few hours later McCarthy wrote him he would turn them over in a few days, and by Monday at the latest.

This will permit Tydings and three newly employed investigators to search, at one time, the files in the 81 cases, plus those of some 33 more names that McCarthy has given the subcommittee.

Other major developments yesterday in connection with the investigation of McCarthy's charges were:

1. U. S. Ambassador-at-Large Philip C. Jessup, hurriedly called back from Far East and European talks after McCarthy said he had "an unusual affinity for Communist causes," arrived here yesterday. He said he was ready to appear before

Tydings' subcommittee. He added that there is "no substance" to the charges.

2. John S. Service, United States diplomat denounced by McCarthy as pro-Communist, has been summoned home from India to appear before a State Department loyalty board.

In testimony Tuesday morning, McCarthy said that although Service had been given clearance by the department loyalty body several times, the Government loyalty board of appeals and review had recently made a post-audit of the clearances.

Then the board sent the case back to the State Department. McCarthy said, with a rejection of the findings, a demand that Service appear personally before the department loyalty board, and that a new panel, differing in membership from the one that previously heard the Service case, be convened for a rehearing.

Most of Charges Denied

Lincoln White, State Department press officer, flatly denied most of this yesterday.

He said the review board returned the case to the department Tuesday afternoon, several hours after McCarthy's testimony.

He added that the board did not suggest that Service should be denied a clearance, but simply that he appear personally—as he apparently had not done before—for questioning by the department's loyalty board.

Finally, he said the review body had not suggested that any new or different panel be appointed to hear the Service case.

White said the board's recommendation does not mean that Service is "under any suspicion," and he told reporters:

"We assume the board thinks that Mr. Service should have an opportunity to speak for himself."

White said Service is now en route by ship to Calcutta, India, to take up a new assignment as secretary in the American Embassy at New Delhi. He will return to this country immediately by plane.

A question still unanswered is how McCarthy knew in advance of the review board's action in sending the case back to the State Department.

Page

Times-Herald ☐
 Wash. Post ☒
 Wash. News ☐
 Wash. Star ☐
 N.Y. Mirror ☐

Date: MAR 16 1950

121-23278-52

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. NICHOLS

DATE: March 20, 1950

FROM : M. A. Jones

SUBJECT: "The Significance of Senator McCarthy's Accusations"

Radio Interview

Station WQOW

3-19-50 - 2:00 p.m.

8/21/86 SP5C101099
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED - H/T
DATE 10/22/80 BY SP2 TAE/m

Communists in State Department

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Egan	
Mr. Gurnea	
Mr. Harbo	
Mr. Mohr	
Mr. Pennington	
Mr. Quinn Tamm	
Tele. Room	
Mr. Nease	
Miss Gandy	

SA Carroll listened to the captioned program yesterday in which the moderator was Carl Shipley and in which the participants were Robert Silverstein, Executive Secretary of the National Lawyers' Guild, Mrs. John Gunther of Americans for Democratic Action, and F. Trowbridge Von Bauer (phonetic). U

The opening comments were by Robert Silverstein who described the hearings propelled by Senator McCarthy as absurd, inasmuch as individuals were assumed to be guilty "by association." He abhorred the lack of objective standards in conducting the hearings and stated that charges of disloyalty should be based upon evidence not "guilt by association." He indicated that the fact that an organization was labeled pro-Communist without a hearing was not fair and he indicated that he could not see why inquiries were being leveled against the State Department which itself is conducting an anti-Communist campaign. U

Von Bauer maintained that the McCarthy hearings reflected the inability of the administration to fully cope with the security problem in an effort to ascertain what the Communist Party was up to and that Congressional hearings of this nature certainly do a lot of good and to prove his premise he mentioned the Alger Hiss case. U

Mrs. Gunther, in reply, stated that Von Bauer painted a terrifically bad picture inasmuch as he intimated that there were a number of Communists in the government and she felt that the Loyalty Program itself had not proven this point. She described the McCarthy hearings as a "smear campaign." Von Bauer replied that there was no room for Communists or Communist sympathizers and any efforts made to drive them out were worthwhile. U

Silverstein commented that Von Bauer's allegations hadn't been proven by the McCarthy committee or any other committee of Congress. U

Von Bauer retorted by saying that Communists constantly "squeal" when any sort of charges are publicly made and that Senator McCarthy's charges should come out and be aired. Mrs. Gunther wanted to know whether or not the Loyalty Program was not sufficient to ferret out disloyal workers in the government. Von Bauer stated that the administration had not done everything possible to dissipate public feeling that there were Communists in the Government. To this Silverstein asked for specifics. Von Bauer replied that he could not be in the position of being a judge; that he did not have complete knowledge of the evidence. Mrs. Gunther said people U

GLC:ulg

MAY 3 1950

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Memorandum for Mr. Nichols

March 20, 1950

begin to fear when accusations spring from governmental committees and Von Bauer replied that in this instance the inquiries were being made under the leadership of Senator Tydings who is experienced, fair and will give all an adequate hearing.

At this point Shipley steered the discussion along the lines that inquiries and investigations themselves could do more damage than actual damage done by the Communist Party. Mrs. Gunther observed that accusations by "headlines" were extremely dangerous; that headlines certainly gave aid and comfort to the Kremlin and the Communist Party by discrediting the State Department and that the net result would be that attention would be swung away from real Communists. Silverstein at this point stated that Senator McCarthy's accusations and activities did nothing ~~to~~ increase hysteria in the United States.

Von Bauer replied that we were not in a position to tolerate any compromise with Communism and cited the Fuchs case as an example of the damage which could be done. He said that even if a little hysteria crept in, nevertheless present Congressional activities were searching for something "deep."

Shipley asked why the President and the Executive Branch of the government could not handle the situation rather than Congress. Mrs. Gunther observed that the Loyalty Program was created for this sort of activity even though she felt that the Loyalty Program was unnecessary and expensive.

Silverstein indicated that if Congress had evidence it should be turned over to prosecuting authorities and that the Executive Department should remove persons on the policy level whose loyalty is doubtful. Von Bauer replied that all individuals whose loyalty was doubtful should be wiped out of government; that the Executive Branch should do the job but he wondered whether the Executive Branch was trying to do the job and stressed President Truman's indifference to this type of program. Von Bauer said no one could blame Congress for inquiring into these matters. Von Bauer was asked whether the Loyalty Program was not sufficient to cover this situation and he replied that at the present time no one was in a position to state whether it was adequate and again pointed out President Truman's indifference to the whole problem of disloyal individuals.

Silverstein commented that no one had the right to a job in government, but if people were kept out of jobs because of their political beliefs the net result was government censorship. To this Von Bauer replied that Silverstein evidently had a very tolerant attitude toward Communism and commented that every Communist was an Agent of Russia. Silverstein replied that everyone had a right to be considered innocent until proven guilty to which Von Bauer replied that Silverstein was not realistic.

Memorandum for Mr. Nichols

March 20, 1950

In summation Mrs. Gunther catalogued McCarthy's meager allegations as creating a situation of "guilt by association." Silverstein stated that McCarthy's charges were based upon ideas and associations and the net result was an infringement of an individual's basic rights. Von Bauer stated that Communism was a serious matter; that the public was concerned and anxious for the truth and that until the truth fully came out every avenue of investigative activity had to be pursued.

✓ [scribble] u.

OFFICE MEMORANDUM

UNITED STATES GOV

RE: March 22, 1950

TO : THE DIRECTOR

FROM : D. M. LADD

SUBJECT:

Peyton Ford called me at 3:00 PM and advised that he had just returned from a two-hour stormy session with Senators Tydings and McMahon. They are insisting that the files of the Bureau be made available to the committee in connection with McCarthy's charges. Mr. Ford stated that at the request of the Attorney General, he had called on the Senators and had very forcibly and flatly stated the Department's position and had stated that they could not be produced. Mr. Ford stated that the Senators agreed with his logic but stated that in this case they felt that the files should definitely be made available. Mr. Ford stated that he flatly refused this request.

He advised further that he had talked to Donald Dawson "Down south" by telephone today and that Dawson is also O.K. as far as the Department's position is concerned. Mr. Ford states he does not think the Senators are going to drop the matter at this point and he expects that he will have further sessions with them.

I told him it was imperative that the Department maintain its position that the files could not be made available. He assured me that he would do so.

DML:dad

DIRECTOR'S NOTATION: "I do hope Dept. sticks to its position. It is sound. any exception would establish a precedent to plague us in the future. H."

121-23278-
NOT RECORDED
82 APR 21 1950

32 APR 22 1950

FEDERAL BUREAU OF INVESTIGATION

1950

To:

✓ Director 5638	Mr. Tolson	Mr. Mohr 5744
✓ Mr. Tolson 5744	Mr. Ladd	
Mr. Ladd 5738	Mr. Clegg	Miss Gandy 5633
Mr. Clegg 5236	Mr. Glavin	Mr. Nease 5633
Mr. Glavin 5317	Mr. Nichols	
Mr. Harbo 7625	Mr. Rosen	
Mr. Rosen 5706	Mr. Tracy	Records Sec. 7235
Mr. Tracy 4130	Mr. Harbo	Per. Records 6635
Mr. Belmont 1712	Mr. Belmont	Reading Room 5531
	Mr. Mohr	Mail Room 5533
Mr. McGuire 5642	Tele. Room	Teletype 5644
Mr. Holloman 5636	Mr. Nease	Mechanical B-114
	Miss Gandy	Supply Room B-118
Mr. Jones 4236		
Mr. Leonard 6222	IB	Mrs. Chisholm
Mr. McCoy 5537		Miss Harris
Mr. Waikart 7204		Miss Lurz
Mr. English 5627		

See Me

For Appropriate Action

Send File

Prepare Reply

I have Sicked

Dave Sentner

W. N. 1 K 13

5638

SECTION

L. B. Nichols
Room 5640, Ext 691

For Immediate Release
FRIDAY, MARCH 24, 1950

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/01 BY 1043

DEPARTMENT OF JUSTICE

① *Communists in the State Department*

Late today Attorney General J. Howard McGrath confirmed the statement of Senator Millard E. Tydings that he had had a conference this morning with Senator Tydings.

The Attorney General, by way of explanation, said that this morning's meeting, which was attended by Senator Tydings and members of his subcommittee, was held at the Attorney General's office in the Department of Justice; that at this conference Senator Tydings discussed the desire of the committee to secure certain files of the Federal Bureau of Investigation.

The Attorney General and Mr. J. Edgar Hoover, Director of the Federal Bureau of Investigation, agreed to accept an invitation of the committee to appear before the committee on Monday afternoon for the purpose of making such statements as they may care to make at that time with respect to the files.

In answer to an inquiry as to what else was discussed at the meeting, the Attorney General confirmed that there was a lengthy discussion of circumstances involving one principal case in which the committee was interested. The Attorney General said that Director Hoover, at his request, had prepared for him a complete analysis of the FBI file with respect to this one case; that the Attorney General read this complete analysis to the Committee; that both he and Director Hoover gave to the committee a complete summation of this particular file.

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*Subcommittee of the Senate
on Foreign Relations*

The Attorney General stated to the conferees .. at this morning's meeting that the contents of the file read to them must be kept in strictest confidence. He said that the fact that there was a file on this person was not necessarily to be construed as any reflection on the person involved, as it is standard FBI practice to conduct investigations on all allegations received.

Attending the conference with the Attorney General from the Department of Justice was Director J. Edgar Hoover of the FBI, Mr. Peyton Ford, The Assistant to the Attorney General, and, during the part of the conference when the Bureau files were not under discussion, Mr. John E. Pourifoy, Deputy Under Secretary of State.

The Attorney General said that the President of the United States has been fully advised.

From
THE ATTORNEY GENERAL
to

Official indicated below by check mark

MEMORANDUM

Solicitor General	
Assistant to the Attorney General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Anti-Trust	
Assistant Attorney General, Tax	
Assistant Attorney General, Claims	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal	
Assistant Solicitor General	
Director, FBI	
Director of Prisons	
Director, Office of Alien Property	
Commissioner, Immigration and Naturalization	
Administrative Assistant	
Division of Accounts	
Division of Communications and Records	
Division of Supplies	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Librarian	
Director of Public Information	
Mr. Kilgus	
Miss Fanebust	
Mr. Hyatt	
Mr. Coblenz	
Miss Healy	
Miss Meany	
Miss Adams	
Miss Doyle	
Mrs. Willey	
Mrs. Burke	
Mrs. Kelly	
Mrs. Hesson	

Mr. Nichols
Room 5640

Brewster

tham

Provincetown

THE CAPE CODDER

"The Outer Cape's Own Newspaper"

PUBLISHED EVERY THURSDAY

JACK JOHNSON, Editor & Publisher
LAURA R. JOHNSON, Associate Editor

Address: Box 51, Orleans, Mass.
March 30, 1950

Senate

Dear Mr. Hoover

Foreign Relations Committee

If the FBI files are released to the public gaze (and the information whooped up to make headlines and sell papers), it could cause incalculable harm. Not only to individuals but to our nation's unity. *u*

Could you send us a statement of your stand on this that we could publish prominently in our next issue, and which I would bring to attention of other editors? If you can, I would appreciate getting it by next Monday, April 3d. We would like to publish your statement without any embellishment or any omission.

Faithfully yours,

Jack Johnson

*1-20-50
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m*

*March 31, 1950
The Committee Foreign Relations
Long and ever attention 4-3-50
air mail*

*64-144
4-20-1950*

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EX-136

SUBSCRIPTION: \$3.50 A YEAR

Office Memorandum

UNITED STATES GOVERNMENT

TO : MR. D. M. LADD

DATE: March 21, 1950

FROM : MR. A. H. BELMONT

SUBJECT: COMMUNISTS IN THE STATE DEPARTMENT
(ALLEGATIONS OF SENATOR JOSEPH R. MCCARTHY (R.-Wisc.))

Tolson	_____
Ladd	_____
Clegg	_____
Glavin	_____
Nichols	_____
Rosen	_____
Tracy	_____
Harbo	_____
Mohr	_____
Tele. Room	_____
Nease	_____
Gandy	_____

ASAC Lally called from Baltimore at 11:30 A.M. on the morning of March 20. He stated that through Don Surine, a former Bureau Agent, the Baltimore Office has learned that Surine, who is connected with Senator McCarthy's Office, has in his possession a memorandum which contains information regarding Walter N. Posniak, a State Department employee. This memorandum quotes information from the report of SA Joseph Kelly and SA Clancy of the Bureau in June of 1948. SA John Montgomery, who saw the memorandum, believes that actual portions of the report were copied.

The former Agent also had in his possession the list of 81 names mentioned by Senator McCarthy. The only name which could be obtained by the Baltimore Office was that of Cora DuBois.

ADDENDUM

Cora Alice DuBois was identified by the Bureau as being Case #60 as referred to by Senator McCarthy. By your memo dated February 24, 1950, captioned "Communists in the State Department (Allegations by Senator Joseph R. McCarthy - Rep. Wisconsin)," a summary memo concerning DuBois was sent to the Director. A copy is attached. Cora Alice DuBois is the subject of a full field loyalty investigation conducted by the Bureau in 1948, and copies of the reports were sent to the CSC on September 10, 1948. By letter dated June 15, 1949, the Loyalty Review Board advised that the employee had been declared "Eligible on Loyalty."

Walter N. Posniak. Bureau files do not disclose any identifiable information concerning this individual. It is believed that this person is possibly Edward George Posniak, a State Department employee who was investigated under the Loyalty Program in 1948 and copies of the reports were sent to CSC on July 26, 1948. By your memo dated February 15, 1950, captioned "Loyalty of Government Employees, U. S. Department of State," a summary memo concerning Edward George Posniak was sent to the Director. A copy of this summary is attached.

CEH:ees:mer

Attachment

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MAR 24 1950

APR 25 1950

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C O P Y

CORA ALICE DuBOIS

I. ALLEGATION BY SENATOR McCARTHY

"Case No. 60. This individual was employed by OSS, in the Division of Research, from June 1942 to September 1945, at which time he was transferred to the State Department. He is now a branch chief in Research and Intelligence. One of his former supervisors stated that he was a Communist.

"For some time he has resided with another State Department employee, previously mentioned herein, whose investigation was requested because of communistic activities. Nevertheless, this individual has been cleared and is still working in an important position where he handles top-secret material in the State Department."

II. POSSIBLE IDENTIFICATION

A review of the Bureau's files indicates that the above person is apparently Cora Alice DuBois, also known as Alice Cornelia DuBois, Chief, Southern Areas Branch, Department of State, Washington, D. C. Bureau records reflect that we made an investigation of this person under the Loyalty Program. The basis for this investigation was the appearance of the employee's name on an open letter to the President of Brazil requesting the release of Luiz Carlos Prestes, Honorary Chairman of the National Liberation Alliance of Brazil, from a Brazilian prison. This letter appeared in the December 3, 1940 edition of "New Masses" and was sponsored by the Council for Pan American Democracy, an organization declared within the purview of Executive Order 9835. As a result of this investigation, copies of this letter were furnished to the Civil Service Commission. In addition, it was developed that employee roomed with Jeanne Taylor who registered in the New York State elections in 1935 as a Communist and in September, 1941, signed two Communist Party nominating petitions in New York City. Reliable informants linked Jeanne Taylor with individuals connected with Communist front organizations who had given support to Communism. Jeanne Taylor was terminated from the State Department on April 23, 1947 as an undesirable employee. Miss DuBois was listed as a reference by Miss Jane Foster in 1943, when the latter applied for a position with OSS. A reliable informant identified Miss Foster as a Communist Party member during her stay in Washington. Miss DuBois was also listed as a reference by Furhan Abdul Careen, an OSS applicant who was formerly employed in the building housing the "Daily Worker," an East Coast Communist newspaper, and who had contributed articles to the "Daily Worker."

101-23478-55

CORA ALICE DuBOIS (Continued)

In 1948, Miss DuBois requested permission from the Department of State to accept a nomination to the Board of Directors of the American Council of the Institute of Pacific Relations, cited as a Communist front organization by the California Committee on Un-American Activities in 1943. Miss DuBois was employed by the Division of Special Information from June 8, 1942, until January 31, 1943, when this division was transferred to the Office of Strategic Services. She was employed there until September 30, 1945, transferring to the State Department. No former or present supervisor of the employee stated during this investigation that he or the employee was a Communist. Copies of reports in the Loyalty investigation were sent to CSC on September 10, 1948, with supplemental reports being furnished on November 9, 1948. By disposition sheet dated June 15, 1949, the Bureau was advised that the employee was "Eligible on Loyalty." As of August, 1949, this employee was still working at the Department of State, Washington, D. C. (121-8038)

EDWARD GEORGE POSNIAK
Economist
Department of State
Washington, D. C.

Background

Edward George Posniak was born on June 4, 1911, at Moscow, Russia. He entered the United States on August 8, 1935, and was naturalized in Washington, D. C., on January 3, 1939.

Basis for Investigation

In June, 1942, Washington T-1 [] a reliable informant, of the E. Quincy Smith Real Estate Company, Washington, D. C., advised that the name Edward G. Posniak appeared on the mailing list of the United American Spanish Aid Committee.

Results of Investigation

Washington T-1 was recontacted but furnished no additional information. b7D

Washington T-4 [] a reliable informant) advised that Posniak was a member of the United American Spanish Aid Committee in the late 1930's. T-4 further advised that the employee's wife was a member of the Communist Party both before and after her marriage to Posniak. T-4 stated Posniak admitted being a member of the Communist Party in Europe and reportedly stated his father was a Trotskyite. T-4 reported Posniak came to some "open unit" meetings of the Communist Party and also to recruiting meetings of the Communist Party from 1938 to 1942. The informant said Posniak was "horrificed" at the Russo-German Pact in 1939. T-4 reported that Posniak's wife was formerly secretary to Dave Lasser of the Workers Alliance. She was also active in the Young Communist League before and for a while after she became a member of the Communist Party. Mrs. Posniak formerly lived with Etta Claire Hershfield and the wife of Bernard Ades. Both employee and his wife have maintained close association with Hershfield, who, according to T-4, is an admitted member of the Communist Party. T-4 stated that Ades and his wife are members of the Communist Party. Mr. Ades ran for Governor of the State of Maryland on the Communist Party ticket in 1934, according to T-4.

Washington T-2 [] a reliable informant) advised that Etta Claire Hershfield is a member of the Communist Party.

Other associates, fellow employees and neighbors consider Posniak loyal.

One informant, [] a fellow employee in the State Department in 1946, now at Stanford University, Palo Alto, California, advised that Posniak seemed to be more patriotic to the country of his birth but could furnish no details. He informed that this opinion was based on his (Posniak's) approach to Czechoslovakian affairs which he handled in the State Department.

101-23-55

The United American Spanish Aid Committee was cited by the House Committee on Un-American Activities as a Communist front on March 29, 1944. The Workers Alliance, the Communist Party and the Young Communist League were cited by the Attorney General as within the purview of Executive Order 9835.

Neither Washington T-1 nor Washington T-4 will testify.

Reports to CSC, July 26, 1948; to Department, March 23, 1949.

Disposition

No disposition in file February 13, 1950. No prosecution by Department May 18, 1949.

March 23, 1950.

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121-23271-56

~~62-71722-12~~

RECORDED - 78

Honorable Bourke B. Hickenlooper
United States Senate
Washington, D. C.

My dear Senator:

I wish to acknowledge your communication of March 21, 1950.

In response to your inquiry, I wish to advise that this Bureau has not investigated Mr. Robert Morris, nor has he ever been officially associated with the FBI.

Mr. Frederick Ayer, Jr. was appointed a Special Agent on August 25, 1941, and voluntarily submitted his resignation on December 14, 1945. His record in the service of the FBI was excellent.

I trust that the foregoing information will be of assistance to you.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

LBN:hmc

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Mohr _____
Tele. Rm. _____
Nease _____
Gandy _____

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MAR 23 1950

TOM CONNALLY, TEX., CHAIRMAN
WALTER F. GEORGE, GA.
ELBERT D. THOMAS, UTAH
MILLARD E. TYDINGS, MD.
CLAUDE PEPPER, FLA.
THEODORE FRANCIS GREEN, R. I.
BRIEN MCMAHON, CONN.
J. W. FULBRIGHT, ARK.

ARTHUR H. VANDER BICH.
ALEXANDER WILEY, ILL.
H. ALEXANDER SMITH, N. J.
BOURKE B. HICKENLOOPER, IOWA
HENRY CABOT LODGE, JR., MASS.

FRANCIS O. WILCOX, CHIEF OF STAFF

United States Senate

COMMITTEE ON FOREIGN RELATIONS

March 21, 1950

Mr. Tolson	
Mr. E.A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Harbo	
Mr. Belmont	
Mr. Mohr	
Tele. Room	
Mr. Nease	
Miss Gandy	

Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
Department of Justice Building
Washington 25, D.C.

My dear Mr. Hoover:

On behalf of the minority members, Senator Henry Cabot Lodge, Jr. and myself, of the subcommittee of the Senate Foreign Relations Committee, appointed to investigate charges against State Department employees made by Senator Joseph McCarthy, the names of Mr. Robert Morris as co-counsel and Mr. Frederick Ayer, Jr., as his assistant, have been submitted to the subcommittee to act as co-counsel and his assistant along with the counsel and assistants named by the majority members.

Mr. Morris worked with the Coudert Committee in New York investigating Communist activities, he was with the Naval Intelligence during the war and I believe he had charge of the Communist Soviet Desk for that department during at least a portion of that time. He now is associated with Congressman Coudert.

Mr. Frederick Ayer, Jr., was, as I am informed, with your Bureau for a substantial period of time during the war.

I am submitting these names to you out of an abundance of caution for any comment which you may care to make or for any information in your files which might indicate that it should be called to our attention, and that might mitigate against the employment of these men in this important capacity. I may say that Senator Lodge and I have no derogatory information against these men, but on the contrary have recommendations of the highest degree for the both of them.

Thanking you for any cooperation or information which you may feel it proper to give, I am

Sincerely yours,

B. B. Hickenlooper

INDEXED

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MAR 30 1950

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DOH

BBH:MMH

Senate Foreign Relations Committee

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121-23278-56

71722-12

[Handwritten signature]
B. B. Hickenlooper

PERS. FILE

*From Stanley
3/21/58*



Stanley

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

- 1. Herbert FIERST 121-7630
- 2. John Carter VINCENT 121-11900
- 3. Peveril MEIGS 121-842
- 4. Gizella ~~ILLYEFALVI~~ VITES
- 5. Jay ROBINSON 121-7838
- 6. Frances M. ~~TUCHSCHER~~ 121-2117
- 7. Marcia Ruth ~~HARRISON~~ 121-1163
- 8. Stanley GRAZE 121-638
- 9. David Demarest LLOYD 121-16509
- 10. Marjorie S. ~~POSNER~~
- 11. Frances FERRY 121-5779
- 12. Helen ~~YUHAS~~ 121-4757
- 13. Carleton WASHBURN 121-1803
- 14.
- 15. Philip ~~WESSUP~~ 121-9893
- 16. Robert T. MILLER 65-56402
- 17. Jeanne E. ~~TAYLOR~~ 100-359243
- 18. Edythe J. LEMON
- 19. William ~~REMINGTON~~ 121-6157
- 20. S. Stevenson ~~SMITH~~
- 21. Mucio ~~DELGADO~~
- 22. Alexander ~~RAPOPORT~~
- 23. Mr. ~~CHIPCHIN~~
- 24. Mrs. ~~LESS~~

Per retirement

Per not sub

Per not sub

*Index all
names
121-23278-14*

INDEXED - 100 121-23278-57

21-5-58

Q

-2-

Q

*A. Grandal**Grandal*

25. Tagnel Conrad ~~GRANDAL~~ 123-1212
 26. Lowell M. ~~CLUCAS~~, Jr. 123-778
 27. Ivan ~~KATUSICH~~ 123-861
 28. Hans ~~KANSBERG~~ 121-16494
 29. Gerald GRAZE 121-1521
 30. Joseph JOSEPHSON
 31. ^{Louis} Lewis ~~ROSS~~ 123-
 32. Robert ROSS 123-977
 33. Herman ~~SEIGEL~~ 123-915
 34. Ella M. ~~MONTAGUE~~ 121-1371
 35. Melville ~~SHELL~~
 36. Frederick W. ~~SMITH~~ 123-918
 37. Olga F. ~~OSNATCH~~ 123-579
 38. Arthur Milton ~~KAUFMAN~~ 121-1515
 39. Max A. ~~VOLIN~~ 121-1745
 40. Stolla ~~GORDON~~ 121-22179
 41. Daniel F. ~~MARGOLIES~~ 121-787
 42. Gottfried Thomas ~~MANN~~
 43. Sam FISHBACK 121-1864
 44. William D. CARTER 77-24311
 45. Norman T. ~~NESS~~ 121-1772
 46. William T. STONE 121-10973
 47. Esther ~~Caukin~~ ~~BRUNAUER~~ 121-615

48.) Mr. and Mrs. Robert Warren BARNETT 121-3249
 49.) 121-4022

50. Sylvia SCHIMMEL 121-8958 123-4036

51. Rowena ROMMEL 121-1434

52. Philip RAINE 121-1370

53. Richard POST 121-63

54. Val R. LORWIN 121-1744

55. Gertrude CAMERON 121-3702

56. Paul A. LIFANTIEFF-LEE

57. Fred Warner NEAL 121-12317

58. Lois CARLISLE 121-1985

Cancelled 59. Franz Leopold NEUMANN

60. Cora DuBOIS 121-8038

61. Alice DEMERJIAN 121-2793

62. Isham W. PERKINS 121-5330

63. Stanley WILCOX 121-937

64. Hollis W. PETER 121-1347

65. Victor HUNT 123-486

66. David RANDOLPH (Rosenberg) 100-334981 (Noted ref)

67. John Richard LINDSEY 77-23311

68. Aaron Jack GROSS 77-15606

69. Sylvia MAGUIE 121-5019

70. Harold BERMAN 123-817

71. Stoian STOIANOFF 100-354209

72. No name given *Arnold MARGOLIN* *Arnold Margolin* 121-10421
73. Leonard HORWIN
74. Joseph T. JANKOWSKI
75. Mrs. Preston Keesling LEWIS 121-11291
76. James T. *FORD* (*Joseph T. FORD*)
77. Edward G. *POSNIAK* * 121-97
78. Andrew W. *KAMARCK* 121-9119 124-1174
79. T. Achilles POLYZOIDES 116
80. John T. *WASHBURN* **F. 53 BURN 7* 121-3292
81. Ruby A. *PARSONS* 121-11730

* Originally read into Congressional Record as a repeat on David Demarest LLOYD - should have been Edward G. POSNIAK

John Stewart *Servic*
John Stewart Service 121-13347
Joe. Anthony Parnes 121-16537 *Joseph Anthony Parnes*
Dorothy Kenyon 121-16964 *Dorothy Kenyon*
Haldore E. Hanson 121- *Haldore E. Hanson*
Gustavo Duran *Gustavo Duran*
Fredrick Lewis Schuman *Fredrick Lewis Schuman*
Harlow Shagely *Harlow Shagely*
Owen J. Lattimore *Owen J. Lattimore*
Mary Jane Keeney *Mary Jane Keeney*

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT

FROM : C. H. STANLEY

SUBJECT: PEVERIL MEIGS
Applicant - Quartermaster General
War Department
Washington, D. C.
LOYALTY OF GOVERNMENT EMPLOYEES

DATE: March 22, 1950

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Egan _____
Mr. Gurnea _____
Mr. Harbo _____
Mr. Mohr _____
Mr. Pennington _____
Mr. Quinn Tamm _____
Tele. Room _____
Mr. Nease _____
Miss Gandy _____

PURPOSE: To record telephonic conversations held this morning with Colonel McIntyre of IDA regarding the above-captioned case. u

BACKGROUND: Late yesterday afternoon, Colonel McIntyre called the Correlation and Liaison Section concerning the above-captioned case and referred to the Army's letter of January 5, 1948, requesting an investigation of Meigs who was being considered for employment by the Army. Colonel McIntyre asked whether the Bureau had ever replied to this letter. u

This morning Mr. Millard of the Correlation and Liaison Section called Colonel McIntyre back and advised him that our file reflects that the Army's letter was acknowledged on January 12, 1948, at which time the Army was advised that an investigation had been instituted and that upon completion the results would be furnished through channels. Colonel McIntyre admitted that he had the Bureau's acknowledgment and wanted to know if any further reply had ever been made. Mr. Millard pointed out to Colonel McIntyre that the reports of a full field investigation were sent to the Civil Service Commission in accordance with established procedures under the Loyalty Program on April 19, 1948. Mr. Millard further pointed out that our files show that individual copies of the loyalty reports were given to the Army through liaison channels on April 20, 1949. Colonel McIntyre indicated that this was true and he was in possession of these reports. This satisfied his inquiry in this regard and thereafter he asked Mr. Millard concerning the general evaluation of informants by the Bureau in Loyalty cases. Mr. Millard informed him that in each instance confidential informants are evaluated as to their reliability in loyalty reports, and suggested if he wanted to talk to someone familiar with the Loyalty Program to discuss the matter with Mr. Johnson of the Loyalty Section. u

Colonel McIntyre thereafter pointed out to Mr. Johnson that he was interested in knowing whether the Bureau's loyalty investigation had proved or disproved the original allegations against Meigs. Mr. Johnson informed him that we had conducted the investigation at the Army's request and that we had forwarded the reports reflecting the results of that investigation to the appropriate authorities and that the question as to whether the allegations were proven or disproven was a question for the Board adjudicating the matter to decide. Colonel McIntyre then asked whether, in those instances where an informant is evaluated by the Bureau as of known reliability, the statements of such informants could be taken as reliable. Mr. Johnson advised Colonel McIntyre that when the Bureau evaluated an informant as of known reliability, we did so on the basis of our past experience with that informant and that we had no reason to

Attachment

NRJ:hmd

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question the reliability of the informant. He further pointed out to the Colonel that it was a matter for the Army to decide as to what evaluation they felt should be given to the statements of such informants. Colonel McIntyre indicated that he recognized this fact and Mr. Johnson then indicated to Colonel McIntyre that if the Army had any question concerning the reliability of any particular informants in this case, if he would direct a letter to the Bureau we would endeavor to furnish any additional information regarding our experience with the informant consistent with security. Colonel McIntyre indicated he appreciated this fact but stated that he did not have time to direct such a letter to the Bureau since he was engaged in reviewing the matter apparently for the purpose of writing a summary on the case which "had to be out immediately." He further indicated that his inquiry had been satisfied. U

As you will recall, Peveril Meigs has been identified as "Case No. 3" cited by Senator McCarthy on the floor of the Senate as reported in the Congressional Record of February 20, 1950. It appears from Colonel McIntyre's closing remarks that the Army is aware of this and may be concerned over the fact that he is apparently still employed by the Army. U

It is noted that Meigs was investigated by the Bureau at the Army's request but as an applicant for a position with the Quartermaster General of the War Department. Our file shows that the Regional Loyalty Board of the Fourth Civil Service Region had jurisdiction over the adjudication of the loyalty case pertaining to Meigs since he was an applicant apparently for a classified position. We received a disposition from the Loyalty Review Board under date of April 15, 1949, reflecting that Meigs had been "retained" as an economist and educational specialist for the Department of the Army. This disposition, according to subsequent information set forth in file, was based on an adjudication of the case by the Fourth Civil Service Region Loyalty Board. Thus, the Army did not in fact adjudicate the loyalty case pertaining to Meigs. U

ACTION: None. There is attached a copy of a summary of the information developed during the loyalty investigation regarding Meigs which was furnished to the Director by memorandum dated February 24, 1950, in connection with the original identification by the Bureau of 68 of the individuals mentioned by Senator McCarthy.

It appears that the only purpose for Colonel McIntyre's call is the probability that the Army is concerned over Senator McCarthy's allegations regarding Meigs and is looking for an "out." It further appears that the Bureau has fully discharged its responsibilities under the Loyalty Program in this case by providing reports to the Civil Service Commission in the first instance for further dissemination to the Army and in subsequently providing individual copies of the reports directly to the Army through Liaison channels. U

SENATE FOREIGN RELATIONS COMMITTEE

RECORDED - 56

March 29, 1950

Mr. Gladden William James
661 Maxwell Avenue
Boulder, Colorado

Dear Mr. James:

Your letter dated March 22, 1950, has been received.

With reference to the subject you discuss I thought you might like to read the copy of a statement I made before the Subcommittee of the Senate Committee on Foreign Relations on March 27, 1950. This statement contains my views in this regard.

Sincerely yours,

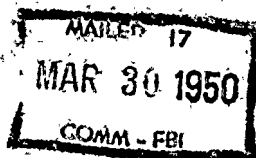
John Edgar Hoover
Director

Enclosure

Statement before Subcommittee of the Senate Committee on Foreign Relations, March 27, 1950.

FRY:cjh

Tolson _____
Ladd _____
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Glavin _____
Nichols _____
Rosen _____
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Mohr _____
Tele. Room _____
Nease _____
Gandy _____



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U.S. DEPT. OF JUSTICE

APR 25 1950

Announcing

GLADDEN WILLIAM JAMES

As Candidate for Nomination

FOR CONGRESS

2ND DISTRICT

COLORADO

Don't withhold your vote today and let me on the ballot for the Primary Election. If you do, I will tour this district and show you the serious threat that Russia and Communism are to the welfare of the United States of America and to the World, according to the Bible; also what God intends to do with Russia, and what we the people of the United States must do also. The children of Israel had something to do in connection with the atheism of ancient Egypt.

I will propose a perfect working plan to avoid labor strikes every year when new contracts are wont to be made. I will show you a way to make new contacts and strikes unnecessary. Many other helpful plans I have for the welfare of the United States. This is still democratic America. Give me your vote and insure me a place on the ticket. Thank you.

GLADDEN WILLIAM JAMES

661 Maxwell Ave.
BOULDER, COLORADO

For twenty years Evangelist and Missionary-at-Large.
Also candidate for Congress in the State of Pennsylvania.

ENCLOSURE

121-23278-59

4497

661 Maxwell Ave.,
Boulder, Colo.,
March 22, 1950.

Hon. Edgar Hoover,
F. B. I.
Department of Justice,
Washington, D. C.

Dear Sir:

I am a natural born citizen of the United States, and
a taxpayer, also a hater of Communism.

I would like for you to tell me why it is necessary for
the President of the United States to give his consent before the
members of Congress or any of its committees can have access to
Loyalty Records of the Executive branch of the United States.
I want to know what laws, customs or the like regulate these matters.
If they are laws you don't need to quote them verbatim, only cite
them.

Thanking you very kindly for a short letter to advise me,
I am

Sincerely,

G. W. James
Gladden W. James

G. W. James

121-23278-59
162-91725-11

APR 6 1950

12

RECORDED - 56
INDEXED - 56

nml
del 3-29-50
gry

March 27, 1950

RECORDED - 26
INDEXED - 26

121-23278-60
~~66-7235-297~~
X
Mrs. Marie A. Hamill
1 Saint Dunstan's Garth
Baltimore 12, Maryland

Dear Mrs. Hamill:

Your letter dated March 22, 1950, has been received and I do want to thank you for your kind comments relative to the manner in which this Bureau has discharged its responsibilities.

I appreciate your letting me have your thoughts with regard to making FBI reports available in certain instances, and I thought you might like to know that this is not a matter within my discretion.

FBI files are maintained as confidential in accordance with instructions of the Attorney General of the United States. For your information, however, I feel very strongly that his policy in this regard is essential to the effective functioning of the FBI.

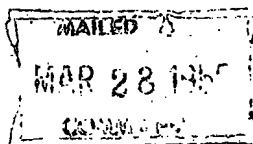
Sincerely yours,
J. Edgar Hoover

John Edgar Hoover
Director

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FBI
U.S. DEPT. OF JUSTICE

FRY:pg

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Gandy _____



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MAR 20 9 27 AM '50

March 22, 1960

Hon. Edgar J. Hoover,
Federal Bureau of Investigation,
Washington, D. C.

Dear Sir:

First of all, let me congratulate you and your Bureau on the magnificent job you have done for many years in the interest of our great country. Nothing but praise for you and your men is in order.

Now comes the matter of F.B.I. reports in the case of the accused personnel in Senator McCarthy's charges. I feel that Senator Tydings' Committee investigating these charges should have the F.B.I. reports on the State Dept. officials named. There is too much evidence that the Far Eastern Division of the State Dept. has acted consistently contrary to the interests of the U.S. How else can we get the truth, except by your reports?

Surely, with proper safeguards, you could make this information available to the Senate Foreign Relations Subcommittee who are investigating Senator McCarthy's charges.

Many good wishes and thanks for your wonderful work.

Sincerely,

Mrs. Marie A. Hamill
#1 St. Dunstan's Garth
Balto. 12, Md.

Marie A. Hamill

COMMITTEES IN THE
STATE DEPARTMENT

62 APR 12 1960

APR 27 1960
71-1

Office Memorandum • UNITED STATES

TO : THE DIRECTOR

DATE: March 22, 1950

FROM : D. M. Ladd

SUBJECT:

4496

Peyton Ford advised me that he was going to adopt the strategy of trying to get the committee to agree to let the Loyalty Review Board review the charges of the cases involved in Senator McCarthy's allegations and thus take the matter out of the hands of the Committee. He did not know whether this would meet with any success.

DML:dad

This certainly would be illogical as most of the cases I assume have been before the Board & have been cleared by the Board.

h.

121-23278-608
UNRECORDED COPY FILED IN 121-31

53 APR 4 1950

EX-9

RECORDED - 114
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12

UNRECORDED COPY FILED IN 121-31

Senate Foreign Relations Committee

with
new
from Ladd

Tolson ☒
Ladd ☒
Clegg ☒
Glavin ☒
Nichols ☒
Rosen ☒
Tracy ☒
Harbo ☒
Mohr ☒
Tele. Room ☒
Nease ☒
Gandy ☒

U. V. Hennrich
Belmont
Mohr
Johnson

March 23, 1950

2:50 PM

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS.

Senator Brien McMahon called to advise me that there was some talk up on the Hill as to how Senator Joseph McCarthy was getting into our files and that the suggestion is never made that he is getting it from the State Department but that it must be coming from the FBI. Senator McMahon stated that unfortunately Senator Hickenlooper had asked Jessup, while he was on the stand, if he had not said to Owen Lattimore "will you go to China with me?" and of course that indicated a tap. He also commented that he felt the question as to whether the files should be made available will be stubbornly pressed as time goes on as he understands that McCarthy wrote something for this afternoon's release to the President in which he tells him that he is undermining the security of the country by not producing the files. I stated that of course my position was that it was up to the Attorney General to decide this issue; that I had previously expressed myself on the over-all policy as far back as the Coplon Case, and other cases that had arisen, that the files should not be made available. Further, I commented that I basically felt that when a person makes charges as have been made in this instance that it is certainly not incumbent upon the administration to prove the charges, in other words, if a man makes an allegation he should certainly be called upon to prove it himself, otherwise he should not have made the allegation. I stated that very serious accusations were made and now they were calling upon the FBI to produce its records and files to prove these allegations. I added that I felt this would set an over-all bad precedent; that if this can be done in one case, anyone else, either on the House side or the Senate side, can get up and make charges and demand that we produce the files, and if they are produced one time and refused another time then the assumption is going to be made that we are afraid to produce them. I stated it did not necessarily follow that if the files were produced they would sustain these allegations; that, as a matter of fact, I did not know what cases McCarthy was referring to except the nine that he has publicly named. Senator McMahon interrupted me at this point to comment that of course I knew who McCarthy meant by the top espionage agent and I stated that I assumed he was talking about Owen Lattimore but I was puzzled as to some of the statements that had been made. 12-23278-61

Tolson _____
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Tele. Room _____
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Gandy _____

made of the proceedings and he thought I might like to look it over. I commented that I would very much like to see this especially in view of the general assumption that McCarthy is getting his information from the FBI. He stated he would send me the transcript.

Nease _____
Gandy _____

INDEXED - 25
RECORDED - 25

SENT FROM D. O.
TIME 4:15 PM
DATE 4-28-51
BY

55 MAY 1 1950

In regard to the speculation as to the source of McCarthy's material I advised Senator McMahon that yesterday Doris Fleeson, the newspaper woman, called and in my absence talked to Mr. Nichols. I informed him that she inquired as to whether McCarthy was getting his information from here and she was told that this was a perfectly outrageous question as obviously we would not do that, and then she queried Mr. Nichols as to my friendship for McCarthy and as to my supposedly Republican background and she was informed that many of the Senators were considered as my friends but that I hadn't seen McCarthy for weeks since this thing happened because I had purposely refrained from being any place where I might come in contact with him. She was also advised that I had been appointed in the Department under a Democratic administration and had served under both Republican and Democratic Attorneys General. I advised Senator McMahon that Miss Fleeson was quite hostile toward the Bureau and explained to him generally the basis for the same. U

In regard to the general assumption that this information was coming from the FBI I told the Senator that I, too, was very much puzzled as to where this was coming from; that I had certain suspicions but did not know whether they were very well founded. However, I stated that I believed McCarthy had either employed some ex-Agents of the Bureau or had been in contact with them. McMahon interrupted me at this point to state that McCarthy had said he had three ex-Agents working for him. Further, I commented that I understood that former Agent Downey Rice was working for him and that former Agent Surine was working for him or was going to work for him. I explained that Surine had been dropped from our rolls about three or four months ago and had been attached to our Baltimore Office which had been investigating Lattimore and although he had not been assigned to this case that would not have precluded him from having access to the files. The Senator was advised that I had requested a complete summary on the Lattimore case so that I would know what the facts were in back of it. I stated that we had never made a loyalty investigation on Lattimore because the State Department had never asked for one but that we have had him under investigation for espionage; that he has been involved on the fringe of a lot of Communistic activity though we have never been able to find any indication that any so-called out and out Russian Agents contacted him. McMahon stated that of course as a matter of fact he, Lattimore, has never been in the strictest sense an employee of the State Department. Senator McMahon stated he was very much concerned because McCarthy had stated he had the facts and he was willing to stand or fall on this one particular case, the Lattimore Case, though when he was asked if he had actually seen the files he said no and he was very evasive when asked if he had seen photostatic copies of the file or evidently had talked with someone who had seen the copies. McMahon told McCarthy that if he had open access to the file then certainly his committee would want access to the file. U

I stated very confidentially to Senator McMahon that last Sunday night in his broadcast Walter Winchell mentioned a fellow by the name of Adams; that he U

said the FBI had Adams in custody and the State Department ordered the FBI to release him and that Adams was a top Russian spy. I stated that this was not correct at all; that we had not had Adams in custody at any time; we had him under surveillance and while he was under surveillance an ex-Agent of the Bureau went to the New York Journal American and told them the story about Adams and they printed it over my protests and Adams disappeared. I further commented that Winchell called me last night and stated that someone in Washington had called him for details regarding Adams and he was advised that his information on Adams was incorrect, and that if the person in Washington who was asking for this information was some Member of Congress or in a position where they think they can use such information and he did not want to disclose his source of information he ought to tell them so. I stated his source was a party in New York City who, I thought, had gotten it from an ex-Agent and I did not know whether this ex-Agent was deliberately lying or whether by lapse of time he had gotten his memory twisted because these statements were not true. I stated it was merely a surmise but I felt probably the same thing had happened to McCarthy and of course it was even possible that some disgruntled State Department employee could be feeding him a lot of stories. U

With reference to the Lattimore Case I stated I did not believe the telephones were tapped; that I had not heard that angle before. McMahon then referred again to the questioning of Jessup and his denial that he had called Lattimore to ask him to go to China with him and the suspicion which this question by Senator Hickenlooper had aroused as to a possible tap. I also commented that I was concerned when McCarthy made some indication that he had seen reports indicating that two Russian agents had gone directly to Lattimore and I commented that it stood to reason if we had actual legal proof that Lattimore was a top Russian spy in this country we probably would have moved in on him long ago. McMahon agreed with me and stated that he had previously made the statement that it was very important that he know where McCarthy got his information and all about it because if the facts were as he detailed them then someone be it in the FBI, the Attorney General, or the Secretary of State, was in a very precarious position for having concealed a top Russian spy. I stated that of course Lattimore had been suspect and we have been conducting an investigation of him but we had no definite proof and if we didn't have it then nobody else would have it. I commented that I did not know McCarthy had staked all on this particular case and I was only assuming it was Lattimore. I stated that when these cases were mentioned in the papers they were unnamed and we tried to match them with our information but did not know how successful we were and that at first we thought McCarthy was referring in this particular case to John Carter Vincent but finally figured it must be Lattimore. I stated that I felt in this case as I did in the Coplon Case that any material in our files should be kept confidential; that if one committee were permitted access to our files then there was no reason why another committee should not have access to them, and of course there was the possibility that they U

might be used as a political football. I stated, however, that of course if the President, who has the final decision, decides it has to be done then it has to be done. I then discussed with him generally the various aspects of our problem regarding the confidential status of our files.

Very truly yours,

S / Jch

John Edgar Hoover
Director

u

cc-Mr. Nease

JEH:EH

FROM

DO-7

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson _____
Mr. Clegg _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Gurnea _____
Mr. Harbo _____
Mr. Belmont _____
Mr. Mohr _____
Mr. Nease _____
Miss Gandy _____

Belmont
Review at once.
It was furnished
by Sen. McMahon.

See Me _____ ()
Note and Return _____ ()
For Your Recommendation ()
What are the facts? ()
Remarks:

Add memo to Dir. 3-24-50 JDP-MN

121-23278-62

ENCLOSURE 62-37147-1499

PHILIP CARYL JESSUP
Deputy U. S. Representative
United Nations Security Council
New York City

Background:

Philip Caryl Jessup was born at New York, New York, on January 5, 1897, as the son of Henry Wynano Jessup born in Syria and Mary May Statesbury born in Philadelphia, Pennsylvania. Jessup attended Columbia University where he received a Doctor of Philosophy degree on June 1, 1927. He was admitted to the District of Columbia Bar in 1926, and to the New York State Bar in 1927. From 1927 to 1943, he was a member of the Law Firm of Parker and Duryee, New York City. Since 1926, he has been a member of the Faculty of Columbia University at New York City. During 1924 and 1925, he was Assistant Solicitor for the U. S. State Department. In 1928, he served as Assistant to Elihu Root at the Conference of Jurists on a Permanent Court of International Justice. He lectured at the Academy of International Law at the Hague during 1929, and in 1930, was Legal Advisor to the American Ambassador to Cuba. Jessup held the position of Chairman of the Office of Foreign Relief in the U. S. Department of State from February until December, 1943. During 1943, and 1944, he also served as Assistant Secretary General at the United Nations Relief and Rehabilitation Administration Conference and the Bretton Woods Conference. Jessup is the author of numerous books dealing with International Law.

Basis for Investigation:

On May 28, 1948, a Loyalty of Government Employees investigation was instituted on Philip Caryl Jessup for the position of "Member, U. S. Mission to the United Nations, U. S. Department of State" on the following basis:

Confidential Informant New York City T-1, a reliable informant furnished a letter dated April 29, 1940, wherein appears the letterhead of the National Emergency Conference for Democratic Rights. This letter had listed Jessup as a member of the Board of Sponsors of this organization. It is to be noted that Confidential Informant New York City T-2 has advised that the National Emergency Conference for Democratic Rights, merged its work with that of the National Federation for Constitutional Liberties in 1939 or 1940. The National Federation for Constitutional Liberties has been declared by the Attorney General to be within the purview of Executive Order 9835. Confidential Informant New York City T-3, a reliable informant advised that in June, 1946, Professor S. S. Krylov, Legal Advisor to the People's Commissariat for Foreign Affairs and Russian Delegate to the San Francisco Conference, informed Glesarenko, a Russian Consular official, that he considered Jessup, who was then Consultant with the American Delegation to the San Francisco Conference, to be a very important person and Krylov described the employee as "very useful to us." (121-9893-12)

ENCLOSURE

~~62-39749-1487~~
121-23278-62

Results of Investigation:

On June 21, 1948, the investigation concerning Jessup was discontinued when it was learned that Jessup had resigned his position as Member of the U. S. Mission to the United Nations. On July 27, 1948, the Civil Service Commission transmitted the letter from the State Department advising that Jessup had been appointed to the position of Deputy U. S. Representative on the United Nations Security Council, and requested that the investigation of Jessup be reinstituted. In view of Jessup's latter position, Departmental advice was requested as to whether the investigation should be reinstituted. Under date of September 4, 1948, the Department authorized such investigation.

The loyalty investigation was then completed and developed the following information in addition to that set out in the Basis:

Confidential Informant New York City T-4, a reliable informant advised that in 1948, the name "Philip Jessup, State Department" appeared in the address book of Jacob Arenoff, who was an associate of Arthur Adams, a suspected Soviet Intelligence Agent. Confidential Informant New York City T-6, a reliable informant advised that in 1941, Jessup's name appeared on a list maintained by the National Federation for Constitutional Liberties.

New York City T-7, a reliable informant advised that in 1947, Mrs. Philip C. Jessup, the wife of the employee, was a member of the Board of Directors of the China Aid Council at New York City. It is to be noted that the China Aid Council was cited as a Communist front and a subsidiary organization of the American League for Peace and Democracy by the California Committee on Un-American Activities in its report of 1948. (121-8893-12)

The files of the House Committee on Un-American Activities contain the following information pertaining to Jessup:

"Public Hearings, Appendix 9, page 1098, indicates that one Philip Jessup (Prof.) Columbia University, New York, New York, was on the Faculty Advisory Board of the 'American Law Student's Association.' Page 1087 of the above-mentioned volume indicates that the 'American Law Student's Association' was included among those organizations classified as 'Miscellaneous Communist and Communist-front organizations.'"

Dies Public Hearings, Appendix 9, Page 1087, indicates that one Philip C. Jessup (Dr.), appeared on a list of sponsors of a dinner dedicated to "American-Soviet Post-War Relations," which was held at the Hotel Commodore, New York, N. Y., under the auspices of the "American-Russian Institute."

25
Dies Public Hearings, Appendix 9, Page 1206, indicates that one Philip C. Jessup, (Prof.), not otherwise identified, appears as a signer of a call for a "National Emergency Conference" at Washington, D. C. on May 13, 14, 1939, which on Page 1205 of the above-named volume is indicated to be a Communist-front organization.

2
Dies Public Hearings, Appendix 9, Page 1210, indicates that one Philip C. Jessup (Prof.) appears on the letterhead of a "Legislative Letter" issued by the "National Emergency Conference for Democratic Rights, 306 Broadway, New York, New York, dated February 15, 1940, and announcing the success of the organization in achieving the dismissal of indictments against 18 Detroit people charged with having aided Americans to enlist in the Army of the Spanish Republic.

The above-named subject is listed as an officer of the "National Emergency Conference for Democratic Rights," in the capacity of a member of the Board of Sponsors. It is indicated that the "National Emergency Conference for Democratic Rights" was cited as a Communist-front by the Special Committee on Un-American Activities, March 29, 1942; March 29, 1944.

The files further reflect photostatic copies of original letterheads dated April 6 and 13, 1944, which indicate that Philip C. Jessup (Mrs.), was on the Board of Directors of the "China Aid Council." (121-9893-15)

The personnel file of Michael Greenberg at the Bureau of Economic Warfare reflects that in an application filed in 1942, he listed as a reference Philip Jessup, Professor of International Law, Columbia University. Confidential Informant Washington T-5, a reliable informant advised that Michael Greenberg was active in a Soviet Espionage Conspiracy in New York City and Washington, D. C., in the early 1940's and had been reported to this informant to have been a member of the Communist Party in England. This informant further stated that Greenberg was in close contact with many known Communist and pro-Soviet individuals. (121-9893-16)

On his Loyalty Form, Jessup listed membership in the Institute of Pacific Relations and the Carnegie Endowment for International Peace and the biographical sketch concerning Jessup in the files of the U. S. Mission to the United Nations set forth the fact that Jessup was Chairman of the Pacific Council of the Institute of Pacific Relations from 1938 to 1942. Concerning the Institute of Pacific Relations, Louis Buzenz, former managing editor of the Daily Worker, an East Coast daily Communist newspaper, on April 22, 1948, advised that "the Institute of Pacific Relations was originally non-Communist, but Communists infiltrated it. The Institute of Pacific Relations was discussed at political committee meetings of the Communist Party. The professional staff of the Institute of Pacific Relations contained many non-Communists who were friendly to the Communists because of the myth that the Chinese Reds were merely agrarian reformers. The Communist Party did have a very great influence in the Institute of Pacific Relations and at times controlled its policy." (121-9893-12)

9

Mr. Bernard F. Sandifer, Assistant Chief, United Nations Affairs, Department of State, Washington, D. C., advised that he had been personally acquainted with Jessup since 1927, and had been closely associated with him during a greater part of that time. It was Sandifer's opinion that Jessup had an excellent mind, practical common sense and wide experience and was one of the outstanding men of the country and probably the best international lawyer in the United States. He stated that Jessup had been active in foreign affairs in the United States since 1924 and in his opinion was entirely loyal to the United States. Sandifer stated that the only criticism he had ever heard concerning Jessup's associations was that as an international lawyer particularly, he was criticized for his attitude around 1940, when he had been opposed to what he felt was the breaking of neutrality laws by this government and attempting to aid England and France. Sandifer stated that he learned that Jessup had been a member of the American First Committee but was certain that such membership had no effect upon Jessup's loyalty.

Mr. Dean Rusk, Director, United Nations Affairs, Department of State, Washington, D. C., advised that it had been his observation that Jessup had been "superbly effective in defense of the positions of the United States, an excellent advocate, and a person whom he had found to be entirely loyal to his instructions." Rusk stated that it was "quite clear that he is devoted to the program of the United States and to our part in the United Nations." According to Rusk the only two organizations to which Jessup belonged where any suspicion might be attached were the Carnegie Endowment for International Peace, where Jessup served on the Board of Directors and the American Council of the Institute of Pacific Relations. Rusk advised that he did not believe the Carnegie Endowment for International Peace was subversive or Communist controlled and that he thought the reputation of the American Council of the Institute of Pacific Relations had been gained through the personal indiscretions of Carter who had headed the organization. It was Rusk's opinion that Jessup was definitely anti-Communist and a person to whom the foreign policy of the United States could be entrusted with complete faith. (121-2595-48)

Professor Roger W. Jervay, School of International Relations, Columbia University, New York City, advised that he had known Jessup for 20 years and had an excellent opportunity to judge the loyalty of Mr. Jessup due to his close associations. He stated that Jessup was "entirely sound as far as loyalty to the United States was concerned" and further was "definitely opposed to permitting Russia or any other foreign country to dictate to the United States or force the United States to take any action contrary to its best interests." Jervay emphasized that if allegations of disloyalty had been received against Mr. Jessup that it should be borne in mind that it was impossible for a man to reach a high position such as that held by Mr. Jessup without making enemies. He also emphasized that

it should further be borne in mind that "during the war Russia had been ally and the American Government had encouraged friendliness toward Russia." Under such conditions Professor Jervey stated, many persons who were not Communists joined organizations or permitted their names to be used as "sponsors" quite freely, frequently granting such requests merely upon receiving a general statement of the purposes of the organization involved.

Mr. Harry Guggenheim, former American Ambassador to Cuba, advised that Jessup had been Legal Advisor to him in Cuba in 1939. Mr. Guggenheim declared "there is no question as to Mr. Jessup's integrity and loyalty. They are above reproach."

Mr. Adolf A. Berle, Jr., former Assistant Secretary of State, described Jessup as "one of the greatest living American experts on international law." Berle stated that he is certain that the employee has never been a Communist and has never been sympathetic in any way to the political theories of Soviet Russia and, in fact, was actively opposed to many Russian theories. (121-9893-41)

It is to be noted that during the Bureau's investigation, interviews with fellow employees, associates, employers, neighborhood investigation failed to develop any disloyal information concerning Jessup.

Regarding Dr. Jessup's connection with the American Russian Institute, it is to be noted that the following was developed by the Bureau during its loyalty investigation:

"Dias Committee Public Hearings", Appendix B, Page 1087, indicates that one Philip O. Jessup (Dr.), appeared on a list of sponsors of a dinner dedicated to the "American-Soviet Post War Relations" which was held at the Hotel Commodore, New York, New York, under the auspices of the "American Russian Institute."

Furthermore, Confidential Informant NYC 5-6, a reliable informant furnished a photostatic copy of a Program for a Dinner and Presentation given by the American Russian Institute on May 7, 1946, at New York City. This Program lists the employee as a "sponsor". Confidential Informant [redacted] on March 22, 1946, advised that the organization which was giving the dinner and presentation on May 7, 1946, was the "American-Russian Institute for Cultural Relations with the Soviet Union, Inc., located in New York City. (121-9893-41) (121-9893-16)

This information from informants and the information in records of the House Committee on Un-American Activities relative to association with the American Russian Institute was not incorporated into the Bureau's loyalty reports inasmuch as the American Russian Institute for Cultural Relations with the Soviet Union at New York City was not at that time cited by either the

Attorney General or the U. S. House of Representatives Special Committee on Un-American Activities as a subversive organization. It is to be noted that the "American Russian Institute, New York" was first cited by the Attorney General on April 21, 1949.

It is noted that Dean Fusk, mentioned previously, was investigated under the Loyalty Program in 1948, copies of the reports being transmitted to the Civil Service Commission on December 9, 1948. By letter dated June 13, 1949, the Loyalty Review Board advised that Fusk had been declared "eligible on loyalty."

Disposition:

The Bureau was advised by the Loyalty Review Board by Disposition Sheet dated February 4, 1949, that Jenson had been "retained."

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: March 24, 1950

FROM : MR. D. M. LADD

SUBJECT: ~~PROPOSAL BY SENATE SUBCOMMITTEE ON~~
FOREIGN RELATIONS TO OBTAIN FBI FILES

PURPOSE

To review the discussion at an Executive Session of the Senate Subcommittee, Committee on Foreign Relations, held on March 21, 1950, under chairmanship of Senator Tydings. Others present were Senators Green, McMahon, and Hickenlooper of the Committee, and Senator McCarthy. On a routing slip attached to a transcript of the proceedings you wrote: "Review at once. It was furnished by Sen. McMahon."

FACTS

At the close of a session lasting an hour and 20 minutes, much of which time was devoted to questioning Senator McCarthy as to whether he knew the contents of the FBI files on Owen Lattimore, the Committee approved a motion by Senator Hickenlooper authorizing and directing the chairman to "immediately request all of the security, loyalty, and personnel files of the State Department and of the Civil Service Commission and the F.B.I. investigative files on, No. 1, the nine persons publicly mentioned by Senator McCarthy; No. 2, the list of twenty-five that he gave; No. 3, the list of eighty-one, or whatever it is, that he has furnished to the subcommittee by delivery to the chairman," (p.34)/as amended by Senator McMahon (p.36)/ to exclude from the request "the twenty-five against whom no specific charges have been made." Following this action, Senator McMahon said the request would be followed by subpoena if not complied with, but Senator Hickenlooper declared the committee had taken no action on that. (p.37)

At the outset Senator McCarthy identified the case of Owen Lattimore as the very important one about which he desired to give the committee information. He said: "I am absolutely confident that this is the case that you really should find--well, its explosive. If you crack this case it will be the biggest espionage case in the history of this country." (pgs. 1, 3, 4)

Senator McCarthy said he thought the committee would have to rely quite largely upon the FBI file. (p.2) Asked by Senator McMahon if he had seen the FBI files, Senator McCarthy replied that he thought he knew what was in them. (p.5) Senator McMahon pressed the question at length, pointing out that if McCarthy was permitted the files he did not know why the committee should not be permitted to see them. McCarthy finally stated he might say "that I have not seen the original FBI files." (p.7) Senator McCarthy had the following to say:

ENCLOSURE BEHIND FILE

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JDP:mn

APR 28 1950

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Tolson ☒
Ladd ☒
Clegg ☒
Glavin ☒
Nichols ☒
Rosen ☒
Tracy ☒
Harbo ☒
Mohr ☒
Tele. Room ☒
Nease ☒
Gandy ☒

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"I do not know if you have had any experience with the F.B.I files or not. They are serialized and numbered. You could take things out of those files. It would be extremely difficult.

"In the Kansas City case, which was not made public, I do not believe, some of the F.B.I. files were obtained, and it did appear that a sizeable number of documents had been removed. But the staff apparently--Flanagan and Rogers, I believe, were on the staff--had no difficulty at all detecting the number of documents that were removed. I think fortunately we did nothing about that publicly.

"I was giving a picture of the files. As I recall, the evidence was that Hoover did not know anything about any removals, and such like. I merely mention that to show you if you get those files I do not think you will have any trouble at all knowing what is in them.

"I have not talked to Hoover about this. If I did, I do not suppose he would give me the information.

Senator McCarthy stated he thought that if Chairman Tydings took this testimony over to Mr. Hoover and said: "Is this substantially true?" that with the respect McCarthy had for Mr. Hoover, he was sure Mr. Hoover would not lie to the chairman. McCarthy wanted to make it clear that Mr. Hoover had not given him any information himself of any kind from the files. (p.10) McCarthy said any information he gave would tend to disclose the source of his information. (p.11) He said he thought Lattimore was the top of the whole ring of which Hiss was a part; that he also thought the committee would find that Stephen Brunauer and Herbert Fierst were tied up with that ring.

Senator Tydings served notice on every man on the committee that he was "going to do everything that I can do to get every file that is requested." (p.13) The chairman said he had been well advised, though he had not talked with you, that you, unfortunately for this hearing, had taken the position that the minute you ever disclosed one of the FBI files, persons subsequently interviewed, would, in the light of knowledge of such revelation, refuse to be as frank as they would otherwise be. Senator Tydings said he understood by the grapevine that you were protesting against the opening of any of the files because FBI reports are in the loyalty files. "Hoover is a right tough bird," Senator Tydings said, "and he isn't going to do this unless we can show him a particular circumstance that will justify him in making an exception."

Senator McMahon declared "If Mr. Hoover's files are going to be divulged to Senator McCarthy and by him the contents of them to the press then certainly the reason why we should not get them falls to the ground, because the Senator has made this charge against Lattimore. True, he did not attach his name to it last night, but he has made this charge. He has made it on the basis of the FBI files. Now, so long as a charge has been made on the basis of the files, I don't see how they are going to keep the FBI file away from us. Therefore, it is very material to find out whether the Senator from Wisconsin actually did have access to those files." (pgs 14, 15)

In the following discussion of the possibility as to whether criminal prosecution had been considered by the Justice Department, McCarthy stated categorically he was making no charge of any dereliction by the prosecution forces. (p.17) Senator McCarthy declared it was his firm conviction from all the information he could get that the files would show Lattimore had been contacting and giving material to Russian espionage agents. (pgs 19, 20)

Senator Tydings stated he had reason to believe the President wanted to give the committee the files. He likewise had reason to believe the State Department wanted to give the committee the files. However, he had reason to believe that you and Attorney General McGrath were probably concerned about this question of opening the files for fear of its effect on future investigations and the chairman repeated: "I don't care what McGrath wants or what Hoover wants, I want those files." (pgs 27, 28)

As the session drew to a close, Senator Tydings emphasized anew that he was going to exert every influence he had to get the files. (p.32)

In addition to Lattimore, Hiss, Fierst, and Brunauer, the names, Service, Thayer, Jessup, and Kenyon were referred to during the session.

As you will recall, our investigations of Esther Caulin Brunauer, Herbert Abner Fierst, Dorothy Kenyon, John Stewart Service, and Charles Wheeler Thayer, among others, were summarized in my memorandum to you dated February 15, 1950, captioned "Loyalty of Government Employees, U. S. State Department." In addition, summaries on Brunauer and Fierst were included in my memorandum to you under date of February 24, 1950, providing identifying data and summaries concerning the individuals accused anonymously by Senator McCarthy before the Senate. This memorandum was captioned "Communists in the State Department. Allegations by Senator Joseph R. McCarthy - Rep. - Wis.)"

There is attached hereto for your additional information a summary which Mr. Belmont furnished me on March 11, 1950, regarding Philip Caryl Jessup.

ACTION:

None. This is for your information.

Attachment.

Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

FROM : D. M. Ladd *DL*

SUBJECT:

DATE: March 24, 1950

Tolson ☒

Ladd ☒

Clegg ☒

Glavin ☒

Nichols ☒

Rosen ☒

Tracy ☒

Harbo ☒

Tele. Room ☒

Nease ☒

Gandy ☒

For record purposes, it should be noted that I attended a conference with you in the office of the Attorney General on the late afternoon of March 23. Also present were Messrs. Peyton Ford and James McInerney. On that occasion, the Attorney General called attention to the demand by the Congressional Committee on the President for the production of the files in connection with Senator McCarthy's charges of State Department employees. *U*

Cor. ...
You outlined very completely and thoroughly your position with reference to the production of such files, i.e., that it would be an extremely bad precedent, that in the event any change was made from previous rules with reference to the production of files that the matter would continue to plague the Department and the Bureau on every case that came up for discussion on the Hill. You further pointed out that every President since George Washington had refused to produce files and had been upheld by the Courts. The Attorney General indicated that he thoroughly concurred in your views and Mr. Peyton Ford indicated that he had, as previously advised, pointed out to Senator Tydings and others the position of the Department and the Bureau. *U*

The Attorney General, however, exhibited a note to you which he had received from the President in Florida, which indicated that the President thought that the position of the Department was peculiar and that he, the President, might have to take some other action. The Attorney General indicated that in light of this, he thought that it was necessary to immediately make some definite ruling. You concurred and pointed out that time was of the essence that a definite position should be taken immediately and that this position should be maintained. *U*

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The Attorney General indicated that one of three positions could be adopted. *U*

(1) The Department should make the files available to the Committee in accordance with their request. *U*

(2) The Attorney General could, on a confidential basis, in Executive Session, have the Committee call at his office and read your summary memorandum to the Committee, after securing assurance that it would be treated in strict confidence. The memorandum would not be made available to the Committee. *U*

(3) The Attorney General could ask the Committee to

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submit questions that they were interested in in connection with this matter and the Attorney General could prepare a letter back to the Committee giving the answer to those specific questions.

The Attorney General stated he thought in the light of the President's letter, it would be necessary that he talk to the President and make some definite recommendation, otherwise he was fearful that the President would be advised by his advisors in Florida to make the files all available. In view of that, the Attorney General indicated that he would be inclined to adopt the second, namely, to read the memorandum to the Committee in Executive Session.

You advised the Attorney General that your position was still the same, that you felt the files should not, under any circumstances be made available, that you would defer to his judgment with reference to Item #2; that, however, if this was done, a definite position should be taken that the files would not be made available at this time and in no circumstances would that position be altered once the memorandum had been read to the Committee.

You suggested the desirability of a statement being issued by the Department advising of the position adopted by the Department and including a statement that the files would not be made available.

The Attorney General indicated that he thought this was a good idea and suggested the desirability of a joint statement.

During the time that you were in the Attorney General's office, the Attorney General received a call from Senator Tydings who informed the Attorney General that he felt that the administration was losing ground in this argument with McCarthy and that a decision should be made by the Department one way or the other immediately; that if the decision was that the files would not be made available, it would be necessary for the committee to request the appearance of the Attorney General and yourself either by subpoena or by letter to appear before the Committee and explain to them why the files could not be made available.

The meeting concluded with the Attorney General indicating that he was going to propose to the President the reading of the memorandum, as set forth in Item #2 above.

STATEMENT OF
GENERAL H. HOWARD MCGEE
BEFORE
THE SENATE COMMITTEE ON FOREIGN RELATIONS
6:30 P.M., MARCH 27, 1950

Mr. Chairman: I appreciate the opportunity of appearing before your Committee today, together with the Director of the Federal Bureau of Investigation, in order to discuss with you a serious problem that has arisen in the course of the investigation that you are conducting pursuant to Senate Resolution 231. There has been a great deal of talk about the production before your Committee of loyalty and investigative files relating to the persons against whom Senator McCarthy has brought charges of disloyalty. I think that it is well that we should discuss this matter together at this time in the interest of clarifying some of the issues.

I need not remind you that it is only a matter of months since I myself was a member of that great body of which this Committee is a part, the United States Senate. Having had the privilege of serving in the Senate, as well as in the Executive Branch, I am fully aware and indeed extremely sensible of the degree of cooperation that must exist between the legislative and Executive branches of the Government if we are to make our tripartite system of government work.

Cooperation, however, is but one facet of the key to the solution of our problem. If our tripartite system is to work, each branch must also carefully avoid encroaching upon the prerogatives of the other.

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RECORDED
7 APR 4 1950

[Handwritten signature]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

66-23235-1
COPY FILED IN

63X

APR 18 1950

-2-

This is such a basic principle that it was recognized as early as the administration of our first President. On February 22 last, the very day on which the Senate agreed to the Resolution under which this Committee is proceeding, the Farewell Address of President Washington was read in the Senate chamber. I call your attention to one paragraph of that Address, which appears on page 2153 of the Congressional Record of February 22, and which so aptly states the principles by which we must be governed. President Washington stated:

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. * * * If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.--But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

President Washington was speaking from personal experience with the very problem we now have before us--namely, a request by a congressional Committee for the production of documents which in the opinion of the Executive branch must be held confidential in the public interest. The problem, you see, is as old as the Government itself.

In March of 1792, the House of Representatives adopted a resolution establishing a Committee to inquire into the causes of the failure of the expedition under Major General St. Clair, and empowering that Committee to call for such papers and records as might be necessary to assist the Com-

mitted in its inquiries. The House based its right to investigate on its control over the expenditure of public money. When the Committee asked the President for the papers relating to the campaign, President Washington called a meeting of his Cabinet. Present were Thomas Jefferson, Secretary of State, Alexander Hamilton, Secretary of the Treasury, Henry Knox, Secretary of War, and Edmund Randolph, the Attorney General. The President stated that he had called his Cabinet together because this was the first demand on the Executive for papers within his control and he desired that in so far as the action taken would constitute a precedent, it should be rightly conducted. President Washington readily admitted that he had no doubt of the propriety of what the House was doing, but he did conceive that there might be papers of so secret a nature that they ought not be given up. The President and his Cabinet came to a unanimous conclusion as follows:

First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would injure the public.

The precedent there set by President Washington and his Cabinet was followed in 1796 when he refused to comply with a resolution of the House of Representatives which requested him to lay before the House a copy of the instructions to the United States Minister who negotiated a treaty with Great Britain, together with the correspondence and documents relating to that treaty. In declining to comply, President Washington stated: "As it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the various departments should be preserved, a just regard to the Constitution and to the duty of my office * * * forbids a compliance with your request."

It was because of such experiences that President Washington felt called upon to refer, in his Farewell Address, to the importance of maintaining the independence of our separate branches of government. Later, President Jefferson refused to allow two members of his cabinet to supply documents at the trial of Aaron Burr. In 1825 President Monroe declined to comply with a request of the House of Representatives to transmit to the House certain documents relating to the conduct of naval officers. In 1833 President Jackson refused to comply with a Senate request that he communicate to it a copy of a paper purporting to have been read by him to the heads of the executive departments relating to the removal of the deposits of public money from the Bank of the United States. In 1836 President Cleveland supported his Attorney General's refusal to comply with a Senate resolution calling for documents and papers relating to the removal of a District Attorney. Similarly, in 1843, a resolution of the House of Representatives called upon the Secretary of War to communicate to the House the reports made to the War Department by Lt. Col. Hitchcock relative to the affairs of the Cherokee Indians, together with all information communicated by him concerning the frauds which he had been charged to investigate. The Secretary of War advised the House that he could not communicate information which Col. Hitchcock had obtained in confidence, because it would be grossly unjust to the persons who had given the information. The House, however, claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of deliberations of the House. President Tyler, in a message

dated January 31, 1843, said in part:

And although information comes through a proper channel to an executive officer, it may often be of a character to forbid its being made public. The officer charged with a confidential inquiry, and who reports its result under the pledge of confidence which his appointment implies, ought not to be exposed individually to the resentment of those whose conduct may be impugned by the information he collects. The knowledge that such is to be the consequence will inevitably prevent the performance of duties of that character, and thus the Government will be deprived of an important means of investigating the conduct of its agents.

President Tyler also declined to comply with a resolution of the House of Representatives which called upon him and the heads of departments to furnish information regarding such members of the 23rd and 27th Congresses as had applied for office in the executive branch. In so refusing, President Tyler stated:

Applications for office are in their very nature confidential, and if the reasons assigned for such applications or the names of the applicants were communicated, not only would such implied confidence be wantonly violated, but, in addition, it is quite obvious that a mass of vague, incoherent, and personal matter would be made public at a vast consumption of time, money, and trouble without accomplishing or tending in any manner to accomplish, as it appears to me, any useful object connected with a sound and constitutional administration of the Government in any of its branches.

In my judgment a compliance with the resolution which has been transmitted to me would be a surrender of duties and powers which the Constitution has conferred exclusively on the Executive, and therefore such compliance can not be made by me nor by the heads of Departments by my direction.

These are only a few of the precedents to be found in the constitutional history of our Government; many more could be referred to,

Although I have mentioned only a few of the precedents, I might add that almost every President has found it necessary at some time during his administration to decline, for reasons of public policy, to furnish confidential papers to congressional committees. The courts have recognized this constitutional prerogative of the Chief Executive and the great constitutional scholars uniformly agree that it is for the President to determine what papers and information in the Executive branch must be retained in confidence in the public interest. William Howard Taft, following his term as President and prior to his appointment as Chief Justice, summarized the situation succinctly and accurately when he wrote in his book, The Chief Magistrate

The President is required by the Constitution from time to time to give to Congress information on the state of the Union, and to recommend for its consideration such measures as he shall judge necessary and expedient, but this does not enable Congress or either House of Congress to elicit from him confidential information which he has acquired for the purpose of enabling him to discharge his constitutional duties, if he does not deem the disclosure of such information prudent or in the public interest.

It is against this background that we must consider President Truman's directive of March 13, 1948, concerning the confidential nature of loyalty files. Against this same background we must consider this Committee's request for the production of such files.

In his directive, the President stated:

The efficient and just administration of the Employee Loyalty Program, under Executive Order No. 9835 of March 21, 1947, requires that reports, records,

and files relative to the program be preserved in strict confidence. This is necessary in the interest of our national security and welfare, to preserve the confidential character and sources of information furnished, and to protect Government personnel against the dissemination of unfounded or disproved allegations. It is necessary also in order to insure the fair and just disposition of loyalty cases.

For these reasons, and in accordance with the long-established policy that reports rendered by the Federal Bureau of Investigation and other investigative agencies of the executive branch are to be regarded as confidential, all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business.

At the time of issuing this directive, the President specifically referred to some of the precedents that I have mentioned this afternoon and called particular attention to the sound reasons of public policy requiring the maintenance of the confidential status of loyalty files. The President referred to an opinion rendered by Attorney General Jackson at a time when, at the direction of President Roosevelt, he declined to furnish certain reports of the Federal Bureau of Investigation to the House Committee on Naval Affairs, as follows:

Disclosure of the reports could not be otherwise than seriously prejudice law enforcement. Counsel for a defendant or prospective defendant, could have no greater help than to know how much or how little information the Government has, and what witnesses or sources of information it can rely upon. This is exactly what these reports are intended to contain.

Disclosure of the reports at this particular time would also prejudice the national defense and be of aid and comfort to the very subversive elements against which you wish to protect the country. For this reason we have made extraordinary efforts to see that the results of counterespionage activities and intelligence activities of this Department involving those elements are kept within the fewest possible hands. A catalogue of persons under investigation or suspicion, and what we know about them, would be of inestimable service to foreign agencies; and information which could be so used cannot be too closely guarded.

Moreover, disclosure of the reports would be of serious prejudice to the future usefulness of the Federal Bureau of Investigation. As you probably know, much of this information is given in confidence and can only be obtained upon pledge not to disclose its sources. A disclosure of the sources would embarrass informants--sometimes in their employment, sometimes in their social relations, and in extreme cases might even endanger their lives. We regard the keeping of faith with confidential informants as an indispensable condition of future efficiency.

Disclosure of information contained in the reports might also be the grossest kind of injustice to innocent individuals. Investigative reports include leads and suspicions, and sometimes even the statements of malicious or misinformed people. Even though later and more complete reports exonerate the individuals, the use of particular or selected reports might constitute the grossest injustice, and we all know that a correction never catches up with an accusation.

With respect to files which this Committee has requested, their disclosure would, it seems to me, seriously impair the effectiveness of the Employee

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Loyalty Program. It would subject the persons in question to a type of double jeopardy which is contrary to sound concepts of good government, fairness, and justice. It would also make it extremely difficult, if not impossible, for the Federal Bureau of Investigation to perform its investigative duties. The Federal Bureau of Investigation conducts all investigations under the Employee Loyalty Program. Loyalty files, therefore, are for all practical purposes F.B.I. files. Mr. Hoover is here to give you his view, which he has held for many years, of the damaging effect that would be caused by the disclosure of such files. I know of no one better qualified to speak on this subject. I am in thorough accord with his views in this regard.

It is my opinion--for the reasons stated--that loyalty and investigative files should be preserved in strict confidence.

OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson _____
 Mr. Clegg _____
 Mr. Glavin _____
 Mr. Ladd _____
 Mr. Nichols _____
 Mr. Rosen _____
 Mr. Tracy _____
 Mr. Gurnea _____
 Mr. Harbo _____
 Mr. Belmont _____
 Mr. Mohr _____
 Mr. Nease _____
 Miss Gandy _____

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file
3/27/50

See Me _____ ()
 Note and Return _____ ()
 For Your Recommendation ()
 What are the facts? ()
 Remarks:

4495

March 24, 1950

44:18 PM

Communist
the State Dept.

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS

I called the Attorney General to give him the results of my conversation with Senator Joseph McCarthy. I stated that McCarthy said Senator Tydings made a statement on the Floor that I was to appear there on Monday afternoon and that information had been out that I would be there to express my views as to the release of the files. I stated that I told McCarthy that that was correct but that I didn't know it had been announced; that I understood it was a confidential matter at the present time. The Attorney General was then informed that McCarthy asked me if I was going to discuss the files and I said I was not and I then inquired of him as to where he had been getting his information about the so-called top espionage agent. I commented that McCarthy stated he could not disclose where he got but said it came from a very reliable source at which I remarked that I was anxious because we certainly did not have that information. I advised the Attorney General that I remarked to McCarthy that I was just wondering if he was getting straight information or if someone was planting some phony material on him and trying to get him out on a limb. I stated that McCarthy insisted his information was very reliable and I suggested to him that it might be a good idea for him to get it in affidavit form. I told the Attorney General that McCarthy then asked me if I thought the files would be made available and I told him I did not know; that at the present time they were not available to anyone and commented that the opinion of the Attorney General as well as my own on this matter was very well known. I stated that McCarthy told me he was going to keep on asking for the files and I told him that was his prerogative but I wanted him to be sure he was on the right track and to urge him to be very sure of his allegations and accusations. I stated that I mentioned the question of Jessup being in touch with Lattimore by telephone and that I had told McCarthy we had no such information but he, McCarthy, stated he had the information from other sources and I had commented I did not know who else would be investigating Lattimore. I further stated that the Senator indicated he was going to make some statements over the week-end; that he had thought the announcement by Senator Tydings was just window dressing; that everyone knew what I thought about the files. I stated I again urged him to be very sure of his charges before making them. The Attorney General was in agreement with this.

Very truly yours,

John Edgar Hoover
Director

SENT FROM D. O. RECORDED
TIME 6:20 PM
DATE 3-24-50
BY [signature]

121-23278-64

MAR 30 1950

Nease

Tolson
Ladd
Clegg
Glavin
Harbo
Nichols
Rosen
Tracy
Harbo
Mohr
Tele. Room
Nease

11-752

RECORDED

Tolson ☒
 Ladd ☒
 Clegg ☒
 Glavin ☒
 Nichols ☒
 Rosen ☒
 Tracy ☒
 Harbo ☒
 Mohr ☒
 Tele. Room ☒
 Gandy ☒

Opening The Files

By Marquis Childs

Let J. Edgar Hoover Testify

SENATOR McCarthy began by charging in his first political speech that there were 207 card-carrying members of the Communist Party in the State Department. When he used this same speech a little later in Nevada, the figure 207 had been crossed out and 57 written in.



Childs

Up to the moment of this writing it has not been established on the basis of McCarthy's presentation that there is or ever was a Communist Party member in the department. This is a fact that should not be lost sight of.

It becomes doubly important in view of the speech of Republican Chairman Guy George Gabrielson at Lincoln, Nebr. That speech lends considerable official party backing to the McCarthy line. It refutes those who have been saying that he is acting on his own while the party leadership looks on worried about the next move their irresponsible prankster may make. Gabrielson says "We have too long tolerated communism within our Government." He says, "We must drive them out!" This goes quite a way toward making it official.

Now this may be good politics. Gabrielson directs the same kind of attack against Americans for Democratic Action, which has been a highly effective spark plug of the Democratic Party. The elections this fall will be a some measure a test of the anti-Communist, anti-Socialist line of the GOP.

BUT there are other considerations that overshadow the outcome of the next election or even the election after that and after that. The future form of this Government is conceivably at stake—concepts and traditions going back to the founding of our system.

Republican Senators are demanding that confidential files of the executive branch of the Government be opened to Senate inspection. Even though presumably this would be done in executive session, the material in these files would certainly be "leaked." A concept preserved since the time of George Washington would have been destroyed and a dangerous precedent established.

On the immediate and practical side, the efficient functioning of the Federal Bureau of Investigation would be impaired, even though he is reluctant, and

properly so, to give public testimony on matters of public policy, the Senate committee should call on FBI Director J. Edgar Hoover for his opinion on opening the files.

There can be little doubt what that opinion would be. The issue arose in the first trial of Judith Coplon. Miss Coplon's attorneys persuaded the judge that the FBI files should be opened.

After the first three or four files were spread on the record, Hoover made a strenuous protest to the then Attorney General Tom Clark. He pointed out that serious injustice was being done to individuals by putting under public gaze hearsay and rumor—the raw material of the FBI files—intended only for confidential use. He also pointed out with great emphasis that if this practice were to be followed in other cases, the usefulness of the FBI would rapidly diminish.

AT THE first Coplon trial, it will be recalled, the Department of Justice went so far as to suggest that if it came down to making the files public in relation to vital evidence in the case, the evidence might be withheld. That is a measure of how seriously the FBI took this action.

It may be, of course, that the Republicans do not really want the confidential files opened. They may want to have their request refused so they can say that the refusal cloaks the guilt of individuals who have not been successfully tagged as "pro-Communist" by random accusations.

But if the request is granted, those who have forced the decision should at least have a clear understanding of its immediate and practical consequences. The man who can make that unmistakably clear is FBI Director Hoover.

As was pointed out in this space, his opposition to the Smith amendment attached to the National Science Foundation bill was stated in a letter sent to Congress by the assistant to the Attorney General. That amendment would make the FBI detective, policeman, judge and jury. Hoover gave it as his opinion that the FBI does not want powers which would create "state police organization."

The raw material of the FBI files may be compared to a newspaper reporter's notes. Material that cannot be verified or that is plainly libelous is not included in a news story. Government must be permitted the same responsibility of privacy for the raw material of confidential Government investigations.

Very well stated!

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121-111-65

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Times-Herald

Wash. Post

Wash. News

Wash. Star

N.Y. Mirror

Date: APR 7 1950

INCOMING TELEGRAM

Received *6* in the State Department
through Liaison channels

Date *4/4/50*

12-11
DEPARTMENT OF STATE—DIVISION OF COMMUNICATIONS AND RECORDS

TELEGRAPH BRANCH

Action: NEA

Info:

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DCR

Control 13344

Rec'd March 29, 1950
11:28 a.m.

FROM: New Delhi

TO: Secretary of State

NO: 423, March 29, 3 p.m.

REEMBTEL 387, March 23.

Philip C
Only one more editorial on McCarthy charges. Hitavada of Nagpur commented: "recall of Wessup, who was patiently building up anti-Communist front in Asia will not strengthen US diplomacy. To the Republicans all is Red that is not reactionary. Democratic Party has repeatedly trounced Republicans but they determined never to learn. US masses not so much enamoured of private enterprises as Republicans would have it. Every Liberal in US now under fire and apparently policy of Republican Party is to try to return to power on wave of anti-Russian, anti-Communist hysteria engendered by their reactionary veterans. Loyalty check up of State Department employees will yield little more than verbal pyrotechnics".

HENDERSON

EMB:MGG

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NOT RECORDED
24 JUN 15 1950

RESTRICTED

170
56 JUL 6 1950

INFORMATION COPY

Stanley
Chapman

*Classified in State Department
Declassified for State Dept
letter dated 4/26/79*

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. NICHOLS

FROM : F. C. HOLLIMAN

SUBJECT: ROBERT J. MORRIS

DATE: 3-24-50

Tolson ☒

Ladd ☒

Clegg ☒

Glavin ☒

Nichols ☒

Rosen ☒

Tracy ☒

Harbo ☒

Mohr ☒

Tele. Room ☒

Nease ☒

Gandy ☒

In regard to the letter from Senator Hickenlooper regarding the proposed appointment of Robert J. Morris as Assistant Counsel to the Investigation Committee, pursuant to your instructions I called ASAC Whelan in New York regarding Morris and he advised that he was a member of the Law Firm of Hochwald, Morris and Richmond who have offices at 40 Exchange Place, New York City. He stated that Morris was a New York secretary of Congressman Coudert and was formerly a secretary for Congressman Coudert when Coudert was a Senator at which time he was engaged in Communist investigations. Morris was a Lieutenant Commander assigned to the Third Naval District, O.N.I. assigned to Communist Investigations during World War II. Whelan stated that Morris was a member of the "Anti Communist Intelligencia" of New York. U

Morris is personally known to Agent Robert Granville who stated that Morris has always been most cooperative with the Bureau and holds the F.B.I. in highest esteem. Whelan stated that no investigation had been made on Morris and there was nothing derogatory concerning him in their files. U

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MAR 29 1950

51 APR 4 1950

March 24, 1950

4494

3:03 PM

MEMORANDUM FOR MR. TOLSON
MR. NICHOLS
MR. LADD

I called the Attorney General to advise him that I had received a telephone call from Senator Joseph McCarthy requesting to see me and I had told him that of course I would be glad to see him and speak to him, or anybody else that dropped by at any time. I told the Attorney General that McCarthy said he would come down this afternoon and I wondered if he, the Attorney General, would have any objection to my asking McCarthy point blank as to where he is getting his information. I further stated that I imagined he wanted to talk about something on the Lattimore case. The Attorney General stated he had no objection and in fact thought perhaps I could give him some good advice. I told the Attorney General that I would call him after I had seen Senator McCarthy.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover
Director

SENT FROM D. O.
TIME 1:30
DATE 3-24-50
BY JCH

RECORDED - 124
INDEXED - 124

cc-Mr. Nease

JCH:EH

EX-8

121-23278-66X

~~121-23278-66X~~
MAR 30 1950

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Received from the State Department
through Liaison channels

Date 5/24/50

On a Confidential basis

NAMES MENTIONED BY SENATOR MCCARTHY DURING APPEARANCES
BEFORE THE SUB-COMMITTEE OF THE
SENATE FOREIGN RELATIONS COMMITTEE

Name	Entered on Duty	Secretary of State At time of Appointment	Asst. Secretary of State for Administration At time of Appointment	Present Status	Secretary of State At time of Separation	Asst. Secretary of State for Administration At time of Separation
RUNAUER, Esther	3/8/44	Hull	Shaw	Presently employed		
This case appears as Number 47 in Senator McCarthy List of 81 - Congressional Record 2/20/50						
DURAN, Gustavo	1/30/43	Hull	Shaw	Resigned 10/3/46	Byrnes	Russell
MUNSON, Haldore	2/19/42	Hull	Shaw	Presently employed		
LESSUP, Philip	10/15/24	Hughes	Carr	Resigned 1925	Kellogg	Carr
	2/1/43	Hull	Shaw	Separated by trans- fer to Foreign Economic Administration 7/30/43	Hull	Shaw
	9/5/45	Byrnes	McCarthy	Resigned 2/12/47 (Completion of Assign- ment)	Marshall	Pourifoy
Without Compensation						
	4/25/47	Marshall	Pourifoy	Terminated 12/5/47 (Completion of Assign- ment)	Marshall	Pourifoy
When Actually Employed						
	1/5/48	Marshall	Pourifoy	Terminated 3/1/49 to accept appointment as Ambassador-at-Large	Acheson	Pourifoy
	3/1/49	Acheson	Pourifoy	Presently employed		
This case is Number 15 on McCarthy List						

~~CONFIDENTIAL~~

DEC 8 1971

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Name	Entered on Duty	Secretary of State At time of Appointment	Asst. Secretary of State for Administration At time of Appointment	Present Status	Secretary of State At time of Separation	Asst. Secretary of State for Administration At time of Separation
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~~KENYON, Dorothy~~

11/8/46
When Actually Employed
U.S. Member Commission on
Status of Women in Economic and Social Council

Byrnes

Russell

Terminated 12/31/49
(Completion of Assignment)

Acheson

Peurifoy

~~LATTIMORE, Owen~~

10/15/45
U.S. Reparations Mission
to Japan at the request of
Edwin ~~X~~ Pawley.

Byrnes

Russell

Terminated 2/12/46
(Completion of Assignment)

Byrnes

Russell

6/5/46
Mr. Lattimore made a speech
to a group of State Dept. employees
on this date.

Byrnes

Russell

10/6/49
Delegate to Conference on
Chinese Affairs. Without compensation

Acheson

Peurifoy

Terminated 10/8/49
(Completion of Assignment)

Acheson

Peurifoy

~~SCHUMAN, Frederick L.~~

NEVER EMPLOYED BY THE DEPARTMENT OF STATE
Mr. Schuman gave a one-hour lecture at the Foreign Service Institute on June 19, 1946.

~~SERVICE, John Stewart~~

6/23/33

Hull

Carr

Presently employed

~~SHAPLEY, Harlow~~

5/20/47

Marshall

Peurifoy

Representative to National
Commission, Executive Committee of the American
Association for the Advancement of Science. Dr.
Shapley was designated by the Association and
was appointed as a Member of the National Com-
mission by the Secretary of State.

Presently has a
without compensation
appointment

~~CONFIDENTIAL~~

Received from the State Department
through liaison channels

Date 3/24/50

On a Confidential basis

STATUS OF INDIVIDUALS ON SENATOR MCCARTHY LIST OF 81

Name	McCarthy List	Entered on Duty	Secretary of State At Time of Appointment	Asst. Secretary of State for Administration At Time of Appointment	Present Status	Secretary of State At Time of Separation	Asst. of State At Adm. At Scpa
BARNETT, Patricia	48 and 49	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Presently employed		
BARNETT, Robert Warren	48 and 49	11/7/45	Byrnes	Russell	Presently employed		
BERGMAN, Harold	70	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Presently employed		
BRUNAUER, Esther C.	47	3/8/44	Hull	Shaw	Presently employed		
CAMERON, Gertrude	55	10/17/46	Byrnes	Russell	Presently employed		
CARLISLE, Lois	59	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Presently employed		
CARTER, William D.	44	8/31/45 Transferred from OWI under EO 9608 Reappointed 11/12/46	Byrnes	None	Separated 6/30/46 to accept another position Reduction in force 7/26/47	Byrnes	Russell
CHITCHIN, Nelson	23	1/17/49	Lovett (Actg)	Peurifoy	Presently employed	Marshall	Peurifoy
CLUCAS, Lowell M., Jr.	26	9/31/45 Transferred from OWI under EO 9608	Byrnes	None	Presently employed		

DEC 8 1971

XEROXED ORIGINAL-RETAI

121-23278-6

INDEX

~~CONFIDENTIAL~~

Name	McCarthy List	Entered on Duty	Secretary of State At Time Of Appointment	Asst. Secretary of State For Administration At Time Of appointment	Present Status	Secretary of State At Time Of Separation	Asst. Sec. of State Administration At Time Of Separation
X DELGADO, Mucio	21	8/31/45 Transferred from OIAA under EO 9608	Byrnes		Presently employed		
O DEMERJIAN, Alice	61	9/27/45 Transferred from FEA under EO 9630	Byrnes	McCarthy	Reduction in force 5/20/49	Acheson	Peurifoy
X DUBOIS, Corn	60	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Presently employed.		
X FERRY, Frances	11	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Resigned 12/28/47	Marshall	Peurifoy
X FIERST, Herbert	1	9/24/46	Byrnes	Russell	Presently employed		
X FISHBACK, Sam	43	6/16/46 Transferred from FEA under EO 9630	Byrnes	Russell	Presently employed		
X FORD, James T.	76		NEVER EMPLOYED IN THE DEPARTMENT OF STATE				
O GORDON, Estelle	40	11/18/45	Byrnes	Russell	Presently employed		
X GRAZE, Gerald	29	APPLICANT ----	NEVER EMPLOYED IN THE DEPARTMENT OF STATE				

~~CONFIDENTIAL~~

<u>Name</u>	<u>McCarthy List</u>	<u>Entered on Duty</u>	<u>Secretary of State At Time Of Appointment</u>	<u>Asst. Secretary of State For Administration At Time of Appointment</u>	<u>Present Status</u>	<u>Secretary of State At Time Of Separation</u>	<u>Asst. Sec. of State Administration At Time Of Separation</u>
GRAZE, Stanley	8	11/7/45 Transferred from OSS under EO 9621	Byrnes	Russell	Resigned 4/30/48	Marshall	Peurifoy
GRONDAHL, Tognel Conrad	25	8/31/45 Transferred from OWI under EO 9608	Byrnes		Presently employed		
GROSS, Aaron Jack	68	6/3/46 Transferred from OWI under EO 9608	Byrnes	Russell	Presently employed		
HARRISON, Marcia E.	4	9/27/45 Transferred from FBI under EO 9630	Byrnes	McCarthy	Presently employed		
MORWIN, Leonard	73	8/14/44	Hull	Shaw	Resigned 11/12/47	Marshall	Peurifoy
HUNT, Victor H.	65	8/31/45 Transferred from OWI under EO 9608	Byrnes		Resigned 4/15/49	Acheson	Peurifoy
ILLYEVALA VITEZ, Gizella	4	8/31/45 Transferred from OWI under EO 9608	Byrnes		Resigned 3/5/48	Marshall	Peurifoy
JANKOWSKI, Joseph T.	74	3/11/47	Marshall	Peurifoy	Resigned 1/10/48	Marshall	Peurifoy

~~CONFIDENTIAL~~

Name	McCarthy List	Entered on Duty	Secretary of State At Time of Appointment	Asst. Secretary of State for Administration At Time of Appointment	Present Status	Secretary of State At Time of Separation	Asst. Secretary of State for Administration At Time of Separation
NESSUP, Philip	15	10/15/24 2/1/43	Hughes Hull	Carr Shaw	Resigned 1925 Separated 9/30/43 by transfer to Foreign Economic Administration	Kollogg Hull	Carr Shaw
		9/5/45 Without Compensation	Byrnes	McCarthy	Resigned 2/12/47 (Completion of assignment)	Marshall	Peurifoy
		4/25/47 When Actually Employed	Marshall	Peurifoy	Terminated 12/5/47 (Completion of assignment)	Marshall	Peurifoy
		1/5/48	Marshall	Peurifoy	Terminated 3/1/49 to accept appoint- ment as Ambassador- at-Large	Acheson	Peurifoy
		3/1/49	Acheson	Peurifoy	Presently employed		
JOSEPHSON, Joseph	30	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Reduction in force 12/6/48	Marshall	Peurifoy
KAMARCK, Andrew W.	78	APPLICANT -- NEVER EMPLOYED IN THE DEPARTMENT OF STATE					
KATUSICH, Ivan	27	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Resigned 4/29/49	Acheson	Peurifoy

~~CONFIDENTIAL~~

<u>Name</u>	<u>McCarthy List</u>	<u>Entered on Duty</u>	<u>Secretary of State At Time of Appointment</u>	<u>Asst. Secretary of State for Administration At Time of Appointment</u>	<u>Present Status</u>	<u>Secretary of State At Time of Separation</u>	<u>Asst. Secretary of State for Administration At Time of Separation</u>
KAUFMAN, Arthur Milton	38	1/1/46 Transferred from OWI under EO 9608	Byrnes	Russell	Presently employed		
LANDSBERG, Hans H.	28	APPLICANT -- NEVER EMPLOYED IN THE DEPARTMENT OF STATE					
LIMON, Edythe J.	18	2/16/46	Byrnes	Russell	Resigned 11/23/47	Marshall	Pourifoy
LESS, Mrs. (KOPELEWICH, Esthoy Less)	24	3/4/49	Acheson	Pourifoy	Presently employed		
LEWIS, Mrs. Preston K.	75	12/3/46	Byrnes	Russell	Resigned 9/23/47	Marshall	Pourifoy
LIFANTIERA LEE, Paul A.	56	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Presently employed		
LINDSEY, John Richard	67	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Reduction in force 9/12/47	Marshall	Pourifoy
LLOYD, David Demarest	9	9/17/43 Reappointed by trans- fer from FEA under EO 9630 on 9/27/45 Applicant for re-employment in October 1946	Hull Byrnes	Shaw McCarthy	Separated by trans- fer 10/15/43 Terminated 9/30/46 (Completion of Assignment) --- Not employed	Hull Byrnes	Shaw Russell
LORWIN, Val R.	54	12/19/45	Byrnes	Russell	Presently employed (On Leave Without Pay)		

~~CONFIDENTIAL~~

<u>Name</u>	<u>McCarthy List</u>	<u>Entered on Duty</u>	<u>Secretary of State At Time of Appointment</u>	<u>Asst. Secretary of State for Administration At Time of Appointment</u>	<u>Present Status</u>	<u>Secretary of State At Time of Separation</u>	<u>Asst. Secretary of State for Administration At Time of Separation</u>
* MAGUIE, Sylvia.	69	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Resigned 9/14/48	Marshall	Pourifoy
O HANN, Gottfried Thomas	42	1/21/47	Marshall	Russell	Reduction in force 5/26/47	Marshall	Pourifoy
* MARGOLIES, Daniel F.	41	1/10/47	Acheson(Aetg)	Russell	Presently employed		
* MEIGS, Poveril	3	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Reduction in force 11/25/47	Marshall	Pourifoy
* MILLER, Robert T.	16	6/7/44	Hull	Shaw	Resigned 12/13/46	Byrnes	Russell
* MONTAGUE, Ella M.	34	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Presently employed		
* AL, Fred Warner	57	4/24/46	Byrnes	Russell	Resigned 3/12/48	Marshall	Pourifoy
* NESS, Norman T.	45	9/12/46	Byrnes	Russell	Resigned 4/30/48	Marshall	Pourifoy
O NEWMANN, Franz Leopold	59	9/23/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Presently employed		
* OSNATCH, Olga F.	37	12/16/48	Marshall	Pourifoy	Presently employed		

~~CONFIDENTIAL~~

<u>Name</u>	<u>McCarthy List</u>	<u>Entered on Duty</u>	<u>Secretary of State At Time of Appointment</u>	<u>Asst. Secretary of State for Administration At Time of Appointment</u>	<u>Present Status</u>	<u>Secretary of State At Time of Separation</u>	<u>Asst. Secretary of State for Administration At Time of Separation</u>
PARSONS, Ruby A.	81	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Resigned 4/2/48	Marshall	Pourifoy
PERKINS, Ichan W.	62	11/16/27	Kellogg	Carr	Resigned 3/19/48	Marshall	Pourifoy
PETER, Hollis W.	64	3/30/45	Stettinius	Holmes	Presently employed		
POLYZOIDES, T. Achilles	79	3/8/46	Byrnes	Russell	Presently employed		
PESNER, Margery S.	10	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Resigned 2/11/48	Marshall	Pourifoy
POSNIAK, Edward G.	77	10/10/45	Byrnes	McCarthy	Presently employed		
POST, Richard H.	53	1/18/40	Hull	None	Resigned 12/30/48	Marshall	Pourifoy
RAINE, Philip	52	7/14/31	Stimson	Carr	Presently employed		
RANDOLPH (Rosenberg), David	66	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Reduction in force 9/16/47	Marshall	Pourifoy
REPORT, Alexander	22	3/7/49	Acheson	Pourifoy	Presently employed		
REMINGTON, William	19	NEVER EMPLOYED IN THE DEPARTMENT OF STATE					

~~CONFIDENTIAL~~

<u>Name</u>	<u>McCarthy List</u>	<u>Entered on Duty</u>	<u>Secretary of State At Time of Appointment</u>	<u>Asst. Secretary of State for Administration At Time of Appointment</u>	<u>Present Status</u>	<u>Secretary of State At Time of Separation</u>	<u>Asst. Secretary of State for Administration At Time of Separation</u>
X ROBINSON, Jay	5	9/27/45 Transferred from FEA under EO 9630	Byrnes	McCarthy	Resigned 4/16/48	Marshall	Peurifoy
X ROMMEL, Rowena	51	8/4/43	Hull	Shaw	Presently employed		
X ROSS, Louis	31	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Presently employed		
X ROSS, Robert	32	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Presently employed		
X SCHMIDT, Sylvia	50	9/26/45	Byrnes	McCarthy	Presently employed		
X SHELL, Melvin	35	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Resigned 12/24/48	Marshall	Peurifoy
X STEGEL, Norman	33	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Presently employed		
X SMITH (Schmidt) Frederick W.	36	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Presently employed		
X SMITH, Samuel Stephenson	20	APPLICANT -- NEVER EMPLOYED IN THE DEPARTMENT OF STATE					

~~CONFIDENTIAL~~

Name	McCarthy List	Entered on Duty	Secretary of State At Time of Appointment	Asst. Secretary of State for Administration At Time of Appointment	Present Status	Secretary of State At Time of Separation	Asst. Secretary of State for Administration At Time of Separation
STOLANOFF, Stolan	71	8/31/45 Transferred from OWI under EO 9608	Byrnes	None	Separated 12/8/47 (Completion of Assignment)	Marshall	Pourifoy
STONE, William T.	46	11/12/45	Byrnes	Russell	Presently employed		
TAYLOR, Jeanne H.	17	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Resigned 4/23/47	Marshall	Pourifoy
TUCHSCHER, Frances M.	6	9/20/45 Transferred from OSS under EO 9621	Byrnes	McCarthy	Presently employed		
VINCENT, John Carter	2	4/4/24	Hughes	Wright	Presently employed		
VOLIN, Max A.	39	1/2/47	Byrnes	Russell	Resigned 6/30/48	Marshall	Pourifoy
WASHBURN, John T.	60	NEVER EMPLOYED IN THE DEPARTMENT OF STATE					
WASHBURN, Carleton Wolsey	13	9/12/46	Byrnes	Russell	Terminated 8/11/48 (Completion of Assignment)	Marshall	Pourifoy
WILCOX, Stanley	63	8/15/46	Byrnes	Russell	Presently employed		
YUHAS, Heleno	12	1/30/45	Stettinius	Holmes	Resigned 9/8/47	Marshall	Pourifoy

~~CONFIDENTIAL~~

SUMMARY

Formerly employed..... 33

Never employed..... 7

Presently employed 40

80 *

* Senator McCarthy did not name No. 72

Received from the State Department
through Liaison Office

Date

3/24/50

on a confidential
basis

~~CONFIDENTIAL~~

SENATOR McCARTHY, LIST OF 81

1. FIERST, Herbert ✓
2. VINCENT, John Carter
3. MEIGS, Peveril ✓
4. ILLYEFALVI-VITES, Gizella ✓
5. ROBINSON, Jay ✓
6. TUCHSCHER, Frances M. ✓
7. HARRISON, Marcia Ruth ✓
8. GRAZE, Stanley ✓
9. LLOYD, David Demarest
10. POSNER, Marjorie S.
11. FERRY, Frances
12. YUHAS, Helen
13. WASHBURN, Carleton ✓
14. ARNDT, Ernst Theodore
15. JESSUP, Philip ✓
16. MILLER, Robert T.
17. TAYLOR, Jeanne E.
18. LEMON, Edythe J. INDEXED - new
19. REMINGTON, William
20. SMITH, S. Stevenson
21. DELGADO, Mucio
22. RAPOPORT, Alexander
23. XCHIPCHIN, Nelson
24. LESS, Mrs..
X(KOPELEWICH, Esther XLess)

DECLASSIFIED BY 2909

ON 4/11/78

DP/DLC

121-23278-69
NOT RECORDED
12 JUN 13 1950

Indefinite
400 in file
121-23278-4457+170
5-ny

38
53 JUL 5 1950

~~CONFIDENTIAL~~

Communicate in State Department

25. GRONDAHL, Tegner Conrad
26. CLUCAS, Lowell M., Jr.
27. KATUSICH, Ivan
28. LANSBERG, Hans.
29. GRAZE, Gerald
30. JOSEPHSON, Joseph
31. ROSS, Lewis ✓
32. ROSS, Robert ✓
33. SIEGEL, Herman ✓
34. MONTAGUE, Ella M. ✓
35. SHELL, Melville
36. SMITH, Frederick W.
37. OSNATCH, Olga F.
38. KAUFMAN, Arthur Milton ✓
39. VOLIN, Max A.
40. GORDON, Stella
41. MARGOLIES, Daniel F. ✓
42. MANN, Gottfried Thomas
43. FISHBACK, Sam ✓
44. CARTER, William D.
45. NESS, Norman T. ✓
46. STONE, William T. ✓
47. BRUNAUER, Esther Caukin ✓

- 48.)
49.) BARNETT, Mr. and Mrs. Robert Warren ✓
50. SCHIMMEL, Sylvia ✓
51. ROMMEL, Rowena ✓
52. RAINE, Philip ✓
53. POST, Richard
54. LORWIN, Val R. ✓
55. CAMERON, Gertrude ✓
56. LIFANTIEFF-LEE, Paul A.
57. NEAL, Fred Warner
58. CARLISLE, Lois ✓
59. NEUMANN, Franz Leopold
60. DuBOIS, Cora ✓
61. DEMERJIAN, Alice ✓
62. PERKINS, Isham W.
63. WILCOX, Stanley ✓
64. PETER, Hollis W. ✓
65. HUNT, Victor
66. RANDOLPH, David (Rosenberg)
67. LINDSEY, John Richard
68. GROSS, Aaron Jack
69. MAGUITE, Sylvia
70. BERMAN, Harold
71. STOIANOFF, Stoian

- 72. No name given
- 73. HORWIN, Leonard
- 74. JANKOWSKI, Joseph T.
- 75. LEWIS, Mrs. Preston Keesling
- 76. FORD, James T.
- 77. POSNIAK, Edward G. ✓
- 78. KAMARCK, Andrew W.
- 79. POLYZOIDES, T. Achilles
- 80. WASHBURN, John T.
- 81. PARSONS, Ruby A. ✓

INSTRUCTIONS: This form is to be removed from file by a Filing Unit employee only upon the return of the item.

Subject

Communist in State Department

Type of Mail

Date of Mail

☐ Report

☐ Incoming letter

☐ Outgoing letter

☐ Memorandum

☐ Airtel

☐ Teletype

☐ Enclosure (describe)

☐ Laboratory Work Sheet

☐ Personnel Security Questionnaire (PSQ)

☐ Loyalty Form

☒ Other (describe)

List of names on Senator McCarthy
List NR ~~121-8~~ 3-24-50

Removed for

☐ Mr.
☐ Mrs.
☐ Miss
☒ Room

4913/Cons-

Removed by

J. Sullivan

Date of Removal

5/15/81

Reason for Removal

☐ For copying (If for another agency, list agency and date of request.)

☐ To send to

☐ To attach to

☒ For office use

☐ For change to another file

☐ Other (Specify)

Complete File and Serial Number

121-23278-68

March 30, 1950

~~62-111233~~
121-23273-70
RECORDED

INDEXED

MEMORANDUM FOR THE ATTORNEY GENERAL

Re: Views of Judge Thomas J. O'Connor
concerning Confidential Nature of
FBI Files

In view of your recent appearance before the Subcommittee of the Senate Committee on Foreign Relations on the matter of the confidential nature of the files of this Bureau, I thought you would be interested in receiving a copy of a letter sent to me by Judge Thomas J. O'Connor, Court of Common Pleas, Lucas County, Ohio.

I think you will agree that Judge O'Connor's letter is highly appropriate, and because of his experience and position, his views are worthy of note.

Respectfully,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosure

AHB:tlc

MAR 31 1950

COMM-FBI

55 MAY - 51950

RECEIVED DIRECTOR
F B I
U.S. DEPT. OF JUSTICE
MAR 30 6 40 PM '50

RECEIVED READING ROOM
F B I
U.S. DEPT. OF JUSTICE
MAR 30 5 30 PM '50

COURT OF COMMON PLEAS

Lucas County, Ohio

Toledo, Ohio

March 25, 1950

Hon. J. Edgar Hoover, Director,
Federal Bureau of Investigation,
Washington, D. C.

Dear Mr. Hoover:

From January 1933 to January 1937 I served as Assistant Prosecuting Attorney in this County, and in January 1937 and up to February 9, 1943 I served as Prosecuting Attorney of this County. On February 9, 1943 I took office as Judge of the Court of Common Pleas, and am now serving my second term of six years. I was born in this city in 1891 and have resided here all my life, so that I am personally acquainted with a lot of people.

While I was serving in the Prosecuting Attorney's office I was interviewed many times by agents of your department and also agents of the Treasury Department and the office of United States Post Office Inspector. During the course of these interviews I was questioned about certain people who were under investigation, and I answered those questions truthfully and gave the interrogator such information as I had, some of which would be supported by legal evidence and some of which was based upon what we know in law as hearsay evidence.

According to the newspaper accounts of investigations now being conducted by the Senate and House Committee, demands have been made for a disclosure of the contents of the files in your department and even a production of your files.

I am sure the American people have complete confidence in the Federal Bureau of Investigation, and I am very much disturbed about the result of a disclosure of the contents of your confidential files, and as a responsible citizen I feel certain that you will resist and positively refuse to lay your files open for the inspection of any member of Congress, whether he be of the House of Representatives or the Senate. I know from experience that your Department has persisted in preserving the confidence of those who have been interviewed from time to time. On the other hand, if it should be determined that your files are available for inspection, I can foresee much difficulty in investigations by your agents for the apparent reason that citizens will be hesitant to talk when they realize the danger that at some time or other their names or their reports may be made public.

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

121-23275-7

44-1174-5

I am motivated to write this letter to you this morning after numerous discussions with members of the Bar and other citizens who come into my office, and I feel certain that you will concur in these ideas.

Sincerely yours,

/s/ Thomas J. O'Connor
Judge.

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

JUDGES
JOHN M. MC CABE
PAUL W. ALEXANDER
JOHN Q. CAREY
THOMAS J. O'CONNOR
HARVEY G. STRAUB
JOHN W. HACKETT

COURT OF COMMON PLEAS

LUCAS COUNTY, OHIO

TOLEDO, OHIO

March 25, 1950

Mr. Tolson	✓
Mr. Ladd	✓
Mr. Clegg	✓
Mr. Glavin	✓
Mr. Nichols	✓
Mr. Rosen	✓
Mr. Tracy	✓
Mr. Harbo	✓
Mr. Belmont	✓
Mr. Mohr	✓
Tele. Room	✓
Mr. Nease	✓
Miss Gandy	✓

Hon. J. Edgar Hoover, Director,
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I am sure the American people have complete confidence in the Federal Bureau of Investigation, and I am very much disturbed about the result of a disclosure of the contents of your confidential files, and as a responsible citizen I feel certain that you will resist and positively refuse to lay your files open for the inspection of any member of Congress, whether he be of the House of Representatives or the Senate. I know from experience that your Department has persisted in preserving the confidence of those who have been interviewed from time to time. On the other hand, if it should be determined that your files are available for inspection, I can foresee much difficulty in investigations by your agents for the reason that citizens will be hesitant to talk when they realize the danger that at some time or other their names or their reports may be made public.

RECORDED

I am motivated to write this letter to you this morning after numerous discussions with members of the Bar and other citizens

ackw 3/30
NHB

BUREAU OF INVESTIGATION

3-30-50

To:

_____ Mr. Tolson	_____ Miss Gandy
_____ Mr. Ladd	_____ Mr. McGuire
_____ Mr. Clegg	_____ Mr. Jones
*** _____ Mr. Belmont	_____ Central Hold
_____ Mr. Harbo	_____ Desk Room 7235
_____ Mr. Glavin	_____ Mail Room
_____ Mr. Nichols	_____ Foreign Service
_____ Mr. Rosen	_____ Desk
_____ Mr. Tracy	_____ Code Room 4642
ROOM _____	

Attention: AHB:tlc

*Memo dated 3-30-50 to the Attorney
General forwarding copy of letter
from Judge Thomas J. O'Connor:*

*Please note on copy of letter from
Judge O'Connor that the word While
(first word in para. 2) was corrected
here from White.*

(Reading Room 5531)
Extension 348

JUDGES
JOHN M. McCABE
PAUL W. ALEXANDER
JOHN Q. CAREY
THOMAS J. O'CONNOR
HARVEY G. STRAUB
JOHN W. HACKETT

COURT OF COMMON PLEAS

LUCAS COUNTY, OHIO

TOLEDO, OHIO

-2-

who come into my office, and I feel certain that you will concur in these ideas.

Sincerely yours,

Thomas J. O'Connor
Judge.

STATEMENT OF J. EDGAR HOOVER, DIRECTOR,
FEDERAL BUREAU OF INVESTIGATION,
BEFORE SUBCOMMITTEE OF THE SENATE
COMMITTEE ON FOREIGN RELATIONS, 3:30 P.M.,
MONDAY, MARCH 27, 1950

File
3/28/50

In the 26 years during which I have been privileged to serve as Director of the Federal Bureau of Investigation, I have always maintained the view that if we were to fully discharge the serious responsibilities imposed upon us, the confidential character of our files must be inviolate.

A cardinal principle of success for any agency having a responsibility for investigations is its ability to secure information. To do that, it must be able to maintain confidences. Any person furnishing information must have the security of knowing that when he furnishes information on a confidential basis, he will not at a later date find that confidence broken. When that occurs, the ability of the investigative agency to discharge its responsibilities in the future is materially lessened.

The public record clearly proves that the FBI because it does maintain confidences has been able to develop valuable sources of information which have a direct bearing on the internal security of the nation. I need refer only to the government witnesses who testified in the trial of the eleven Communist leaders in New York last summer. Seven of these witnesses risked their lives as undercover employees of the FBI.

The question of opening the files of the FBI involves a grave matter of principle. In taking the position that the files of the FBI should remain inviolate, I would not, of course, presume to discuss files other than those of the Federal Bureau of Investigation.

These files contain complaints, allegations, facts, and statements of all persons interviewed. Depending upon the purpose of the investigation,

3-10-50
APR 10 1950

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

66-7225-1
FILED IN 66-7225-1

particularly in security cases, they contain not only background data on the individual but details of his private life which bear upon the investigation. In these files also are the identities of our confidential sources of information and full details of investigative techniques. In short, they consist of a running account of all that transpires.

A file is maintained in each case because the FBI has received information, allegations, or a complaint which if proven comes within the sphere of our responsibility, in pursuance of either Congressional or Executive Directives. After the investigation is completed, when indicated by Department procedure or judgment, a summary of the facts developed is furnished to the Department of Justice or United States Attorneys. In other types of investigations, the reports of Special Agents are submitted to the interested agency of the government. Details and information dealing with administrative operations and confidential sources of information remain in our files. The contents of these files were never intended to be disclosed and, unless we drastically change and circumscribe our procedures, they should not be disclosed.

The question of divulging contents of the files of agencies of government is not a new one. When confronted with the question of divulging the files of an Executive Department of the Government in 1909, the late President Theodore Roosevelt said:

"Some of these facts.....were given to the Government under the seal of secrecy and cannot be divulged and I will see to it that the word of this Government to the individual is kept sacred."

The disclosure of the contents of the files of the FBI would reveal confidential procedures and techniques. If spread upon the record, criminals, foreign agents, subversives, and others would be forewarned and would seek methods to carry out their activities by avoiding detection and thus defeat the very purposes for which the FBI was created. Each exception undermines this principle, establishes a precedent, and would inevitably result in a complete collapse of a traditional policy which has proven its soundness.

A disclosure of FBI reports would reveal the identity of confidential sources of information and, if it did not place the lives of such persons in actual jeopardy, it would certainly ruin their future value and effectiveness.

The disclosure of FBI reports would make otherwise patriotic citizens reluctant to furnish information. Already, as a result of some unfortunate disclosures of our files in court proceedings, our Special Agents frequently are being told by persons from whom they seek information that they will decline to be interviewed for fear the information will be misused by some agency other than the FBI.

In the conduct of official investigations, information of a highly restricted nature having a direct bearing upon national security often finds its way into the files which, if disclosed, would be of considerable value to a foreign power. Increasingly, we have observed efforts of a foreign power to seek intimate personal details concerning many of our leaders in Government and industry. They should not be aided by having these details made public for their use and advantage, thereby crippling the important work of the FBI.

So far, I have directed my remarks against a disclosure of FBI files on security grounds. There are other compelling reasons why the files of the FBI should remain inviolate. For the want of a more apt comparison, our files can be compared to the notes of a newspaper reporter before he has culled the

printable material from the unprintable. The files do not consist of proven information alone. The files must be viewed as a whole. One report may allege crimes of a most despicable type, and the truth or falsity of these charges may not emerge until several reports are studied, further investigation made and the wheat separated from the chaff.

I, for one, would want no part of an investigative organization which had the power of discretion to decide what information would be reported and what would be omitted. An item of information which appears unimportant today may provide the solution of a case when considered with information received at a later date, or it may later establish the innocence of the accused.

Should a given file be disclosed, the issue would be a far broader one than concerns the subject of the investigation. Names of persons who by force of circumstance entered into the investigation might well be innocent of any wrong. To publicize their names without the explanation of their associations would be a grave injustice. Even though they were given an opportunity to later give their explanation, the fact remains that truth seldom, if ever, catches up with charges. I would not want to be a party to any action which would "smear" innocent individuals for the rest of their lives. We cannot disregard the fundamental principles of common decency and the application of basic American rights of fair play.

The FBI has the obligation, within the scope of Federal law, not only to protect the rights, lives, and property of our citizens, but also to protect the confidential relationship of the citizen when he patriotically serves his Government by providing information essential to our security.

FBI reports set forth all details secured from a witness. If those details were disclosed, they could become subject to misinterpretation, they could be quoted out of context, or they could be used to thwart truth, distort half truths, and misrepresent facts. The raw material, the allegations, the details of associations and compilation of information in FBI files must be considered as a whole. They are of value to an investigator in the discharge of his duty. These files were never intended to be used in any other manner and the public interest would not be served by the disclosure of their contents.

In taking this stand, I want to reiterate - a principle is involved. I would take this same stand before the Attorney General, as I already have, or before any other body. The fact that I have great respect, confidence, and a desire to be of assistance to a committee of distinguished Senators, however, in no way detracts from a principle. I say this because I do not want any misinterpretation of my remarks, nor do I want it said that this and other committees of Congress do not have my respect and confidence. I would be derelict to my duty, untrue to my conscience, and unworthy of my trust to take any other position.

April 3, 1950

RECORDED - 130
INDEXED - 130

121-23278-72
~~62-1193-10~~

Mr. Stuart H. Clement
178 Bishop Street
New Haven 11, Connecticut

Dear Mr. Clement:

Your letter dated March 27, 1950,
has been received and I do want to thank you
for your kind comments.

I appreciate also your letting me
have your views on the subject you mention,
and it occurred to me that you might like to
read the enclosed copy of my statement before
the Subcommittee of the Senate Committee on
Foreign Relations on March 27, 1950.

Sincerely yours,

G. I. R. 17

John Edgar Hoover
Director

Enclosure

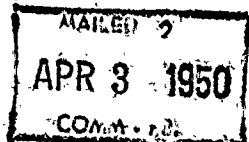
Statement before Subcommittee of the Senate
Committee on Foreign Relations, March 27, 1950

COMMITTEE

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

FRY:cjh

65 APR 20 1950



QUART H. CLEMENT
178 BISHOP STREET
NEW HAVEN 11, CONNECTICUT

March 27, 1950

Dear Mr. Hoover -

You don't know me,
and I know you only through your
fine reputation as the head of the
F.B.I., whose activities I had long
admired before your outstanding
performance today before the
Senate Committee.

I just want you to know
that I was thrilled by your
statements as reported by various
commentators over the radio
tonight. I sincerely hope that the
President will "see the light" and
not require you to turn over your
records, as demanded by Sen.
McCarthy. I cannot imagine how
he got that way, but he has

RECORDED - 130

121-230278-72
12-7-1950

used
DEC 4-3-50
flex

Only gave off the deep end
when he seeks to imperil the
efficiency of your fine organi-
zation.

More power to you in your
fight for the integrity and
secrecy of the T.B.T. records!

Sincerely yours —

Grant H. Chinn

U.S. DEPT. OF JUSTICE

FBI

RECEIVED

MAR 25 2 51 PM '58

MR. JONES

RECORDED

MAR 29 1 40 PM '58

[Handwritten signature]

April 3, 1950

88655

Senate
Foreign Relations COMMITTEE

Mr. Frederic R. Wood
102 Peterborough Street
Boston 15, Massachusetts

121-23278-13

Dear Mr. Wood:

RECORDED - 114

INDEXED - 114

Your letter dated March 27, 1950, has been received. You may be sure that I appreciate your confidence in the FBI.

I am enclosing a copy of my statement before the Committee of the Senate Committee on Foreign Relations which contains my views with reference to the files of the FBI.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosure

NOTE: January, 1950, a card was received from correspondent, who congratulated the Director and stated "no honest person should fear wire tapping if the evidence is not admissible in court as evidence."

HJC:ai

U.S. DEPT. OF JUSTICE
FBI
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APR 3 1950

U.S. DEPT. OF JUSTICE
FBI
RECORDS ROOM
APR 3 1950

MAILED
APR 3 1950
COMM - FBI

5844122-13

Tele. Room
Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Hendon
Mr. Pennington
Mr. Quinn
Mr. Nease
Miss Gandy

Frederic R. Wood
9 Peterborough Street
Boston 15, Massachusetts

Mar. 27, 1950

Dear Mr. Hoover, I have great faith and confidence in the F.B.I.

But, frankly, I am puzzled. If your files can't be shown an investigating committee, in executive session, and if the disclosure of certain evidence to ensure convictions in court is harmful to your sources of information, why is this data collected? where will it be used? If ever,

there may be good and sufficient answers and reasons but maybe I'm not supposed to understand. Maybe it's too ~~confidential~~ ²¹⁻²³²⁷⁸⁻⁷³

RECORDED - 114

APR 12 1950

Sincerely,
EX-59

F.R. Wood

I feel there are many Russian spies in our country and you don't want to show too much of your hand or system.

P. J. [unclear]
4-3-50

April 6, 1950

4487

Recd S. X. Sharrow

Miss Pearl Sharrow
78 Harvard Place
Buffalo 9, New York

RECORDED - 32
INDEXED - 32

Dear Miss Sharrow:

121-23278-74
Your letter dated March 27, 1950, with enclosure, has been received and I want to thank you for furnishing your observations to me.

I am happy to know that my views with reference to the files of the FBI are shared by you, and I am enclosing a copy of my statement before the Subcommittee of the Senate Committee on Foreign Relations on March 27, 1950, which I thought you might like to have.

Sincerely yours,

John Edgar Hoover
Director

Enclosure: Director's statement of March 27, 1950.
NOTE: Bureau files 100-207475 reflects that Mrs. Pearl F. Sharrow, Main Street, Harmony, Pennsylvania, wrote to the Bureau in 1943, furnishing miscellaneous information which was referred to Military Intelligence Division of the War Department. Inasmuch as it is impossible to definitely identify this individual with the correspondent, the latter is being addressed as Miss Pearl Scharrer in the absence of data concerning her marital status.

Tolson _____
Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
Tracy _____
Harbo _____
Mohr _____
Tele. Room _____
Nease _____
Gandy _____

NC:mbh

56 APR 22 1950

RECEIVED READING ROOM
FBI
APR 6 7 28 PM '50
U.S. DEPT OF JUSTICE

Buffalo, 9N.Y.,

76 Harvard Pl.,

March ,27th.,1950..

Mr. Edgar Hoover

Washington D.C.

4488

Dear Sir, _____

I have been following Sen:McCarthy's Communist accusations to our State Department people. I have my own deductions of all this. It may not interest you but as a loyal faithful citizen of this good old U.S.A I feel it my privelage to write what I think.

Hurrah for you not allowing your files to be interviewed by the commies a thing they are after.

Here is what I believe. No one loyal American citizen is going to stir up such accusations unless they are well planed obversive schemes laid by others to him to put across. No man would defy all America for such accusations as he has made unless he feels losing faith with his country people is done for an organization that has made him feel he will forever be a hero doing for his cause if it means ostracization , annihilation or even death if he carries on for the cause. This is my idea of SEN. McCarthy. I believe he is the head of communists here in U.S.A. Who better to put on this exposee than the head man himself? Who would be the least suspected? The head himself.

RECORDED - 32

APR 14 1950

Where would the communists try to over throw our government but in the most important to us and the World?. Our State department. It is destroying the other part of the World in their faith to U.S.A. If they have communists in their very core they must be sympathizers, will be their

thinking. That is just what they want to go around the

Committee

Relations

Separate

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World. They do not want war as much as they want time to undermine our very government workings and our relations with other countries.

4489

We better demand Sen. Mc Carthy's arrest and nip it in the middle of his dirty work, anyway a thorough investigation of all his moves would be a fine act and do it swiftly.

I would like to see his expression when he would be accused of being the communies head man. My hobby is to read expressions. He should give enough away when confronted with his being the head man. I bet you would hear loud wild retorts along that line. That would be your answer. For a truly good U.S.A person would of course deny but not rave and rant. Why would he be having others investigated if he were one? There you have my theory. No one would expect the head man to be the accuser.

Why is he pulling all these people home to accuse them? To stall for time and get their dirty work in where these men were going. To defame them and the U.S.A. To underground.

Some years ago I nursed at a home in an apartment building in Pittsburgh. The people on the third floor were commies. I found that out by facial study. I saw truck loads of books going out from the home. A large book about 8 by 10 inches and about two and a half thick. A white book with large red letters. "When Russia rules the world." This was just before the second World war.

They have been planing long before the Kaiser or Hitler ever thought of so doing. The devil is very clever. He moves slyly and smoothly. Better if the other side did spin their good way. We better awake before it is too late. Read your Bible on the future of the world after the flood. It is all recorded there. It behoves us to read and learn. At this time the words have more meaning than ever before because

face'd with condicions there-in stated. Our Bible can be our guide to save us only we must awake and use it. The solution is all in the Holy pages. 4490

The communies are laughing up there sleeves how asleep we are. How they are putting it over on us. The flying disks are no mith to me. They are real. They are what I have been suspecting. Russia is a few jumps ahead of us. They are her work. She pñaned and used her means for it while we gave her war supplies so she could save hers for us later. Of course at the time this could not be seen. It grieved me to see us as her allies.

The flying planes are a Russian devise very cleverly made up. They have something in those planes so when they are seen, as they can see our planes, they explode and throw a mist between them and a plane to make their get away.

They are not from other planets. The mist between the other planets will stay there until God does His wonderous works of taking it away so we can go there and they here. I ^{them} believe we are not necessary to ~~me~~ or they to us only when the World is destroyed for wickedness as it once was by water, this time by fire. Those saved will go to one of the uninhabited planets. No those Flying saucers are only a new type of plane the Russians are using to frighten us into thinking they are supernatural and will destroy us. There damge is not greater than any other plane we used during the war. No sir they do not want war. They want to tare us apart in our middle and by Sen. MacCarthy they are making a good start.

Let's stop him Mr. Hoover. You are the core man of this great nation so put yourself forth to stop their speed.. It must be stopped before our people lose faith within them-

selves.

I would be in for it here in Buffalo if my name were mentioned I wrote this as they tell me Buffalo is lousy with Commies. I was told to be careful what I said and who I said anything to concerning Commies.

I am from Pittsburgh Penna. I assure you there are plenty in Pitts. There I am not liked by them. My two daughters nearly got into one of their organizations as a Youth movement for young Americans. Luckily I was told in time to investigate and I learned what they were. I exploded to none of their members and was told to keep my mouth shut or it would be shut for me. This was fifteen years ago. Some start they have on us poor unsuspecting people.

Let's get busy and catch them in their own traps laid for us. Let's not talk so much but work. Sometimes I feel our press is a little too open with our affairs.

Well-- Mr. Hoover I got off my chest what I feel is my duty to say. Take it or leave it but my hope is take it. Do something about it and above all stick like the soldier you are to your guns and do not open your files to the head communist as he wants. This is his way of getting us exposed into their hands.

This is long I know and hope I have not taken too much of your time if you ever get to read this.

I am one American who thanks God for all my grandparents who had the foresight to come to the best country in the world the good old United States of America. They were thankful so am I even more than they as they could not see the awful future ahead which has been my time to live.

Mr. Hoover can't you urge people to go to the Bible today for the world solution of today they can find there?

A man like you will have more effect on a world hook' up than any one or many ministers. The rabble would say they are fanatics. You, they will believe because you are dear in every loyal American's heart today and are looked up to greatly. Won't you try. ? This is the only way we can win over the communies. Be on God's side and have Him with us.

Thanks you Mr. Hoover. Don't let us down,
Yours is a great work done and to be done.

Sincerely in the life of the U.S.A

Pearl S. Harner

P.S. I Am sending Mr. Barkley and Mr. Truman a like letter.

4493

WHICH IS IT, SENATORS?

J. Edgar Hoover, director of the Federal Bureau of Investigation, has told a Senate foreign relations subcommittee that turning over to the subcommittee State Department "loyalty files" demanded by Sen. McCarthy of Wisconsin would bring about "complete collapse" of the FBI system of obtaining confidential information. Mr. Hoover added that "a foreign power" (and he obviously meant Russia) has been seeking "intimate personal details concerning many of our leaders in government and industry."

"They should not be aided by having these details made public for their use and advantage, thereby crippling the important work of the FBI," he said. *(a back fair)*

But Sen. McCarthy keeps up his hue and cry and he has been joined by Sen. Bridges of New Hampshire. This leads any logical observer to one of two conclusions—either (1) the two senators won't take Mr. Hoover's solemn word, despite the country's confidence in the FBI chief, or (2) they are willing to "cripple" the FBI and bring about "complete collapse" of its system, in order to get a little more ammunition for their smear-Acheson campaign.

Well, which is the answer, Senators? Speak up!

121-23278-74

ENCLOSURE

From
THE ATTORNEY GENERAL
to
Official Indicated below by check mark

MEMORANDUM

Solicitor General	
Assistant to the Attorney General	
Executive Assistant to the Attorney General	
Assistant Attorney General, Anti-Trust	
Assistant Attorney General, Tax	
Assistant Attorney General, Claims	
Assistant Attorney General, Lands	
Assistant Attorney General, Criminal	
Assistant Solicitor General	
Director, FBI	
Director of Prisons	
Director, Office of Alien Property	
Commissioner, Immigration and Naturalization	
Administrative Assistant	
Division of Accounts	
Division of Communications and Records	
Division of Supplies	
Pardon Attorney	
Parole Board	
Board of Immigration Appeals	
Librarian	
Director of Public Information	
Mr. Kilgus	
Miss Fanebust	
Mr. Hyatt	
Mr. Coblenz	
Miss Healy	
Miss Meany	
Miss Adams	
Miss Doyle	
Mrs. Willey	
Mrs. Burke	
Mrs. Kelly	
Mrs. Hesson	

Mr. Tolson	<input checked="" type="checkbox"/>
Mr. Ladd	<input checked="" type="checkbox"/>
Mr. Clegg	<input checked="" type="checkbox"/>
Mr. Glavin	<input checked="" type="checkbox"/>
Mr. Nichols	<input checked="" type="checkbox"/>
Mr. Rosen	<input checked="" type="checkbox"/>
Mr. Tracy	<input checked="" type="checkbox"/>
Mr. Harbo	<input checked="" type="checkbox"/>
Mr. Belmont	<input checked="" type="checkbox"/>
Mr. Mohr	<input checked="" type="checkbox"/>
Tele. Room	<input checked="" type="checkbox"/>
Mr. Nease	<input checked="" type="checkbox"/>
Miss Gandy	<input checked="" type="checkbox"/>

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Stamley

APR 27 1950
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STATEMENT OF
ATTORNEY GENERAL J. HOWARD McGUIRE
BEFORE

① SUBCOMMITTEE OF THE SENATE, COMMITTEE ON FOREIGN RELATIONS
3:30 P.M., MARCH 27, 1950

W
Mr. Chairman: I appreciate the opportunity of appearing before your Committee today, together with the Director of the Federal Bureau of Investigation, in order to discuss with you a serious problem that has arisen in the course of the investigation that you are conducting pursuant to Senate Resolution 231. There has been a great deal of talk about the production before your Committee of loyalty and investigative files relating to the persons against whom Senator McCarthy has brought charges of disloyalty. I think that it is well that we should discuss this matter together at this time in the interest of clarifying some of the issues.

I need not remind you that it is only a matter of months since I myself was a member of that great body of which this Committee is a part, the United States Senate. Having had the privilege of serving in the Senate, as well as in the Executive Branch, I am fully aware and indeed extremely sensible of the degree of cooperation that must exist between the legislative and Executive branches of the Government if we are to make our tripartite system of government work.

Cooperation, however, is but one facet of the key to the solution of our problem. If our tripartite system is to work, each branch must also carefully avoid encroaching upon the prerogatives of the other.

ALL INFORMATION CONTAINED
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EXCEPT WHERE SHOWN
OTHERWISE

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EX-6 JES

INDEXED

ENCLOSURE

NOT RECORDED
2 APR 28 1950

55 MAY 9 1950

UNRECORDED COPY FILED IN 61-7225-1

This is such a basic principle that it was recognized as early as the administration of our first President. On February 22 last, the very day on which the Senate agreed to the Resolution under which this Committee is proceeding, the Farewell Address of President Washington was read in the Senate chamber. I call your attention to one paragraph of that Address, which appears on page 2158 of the Congressional Record of February 22, and which to me aptly states the principles by which we must be governed. President Washington stated:

It is important likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. * * * * If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the constitution designates.--But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

President Washington was speaking from personal experience with the very problem we now have before us--namely, a request by a congressional Committee for the production of documents which in the opinion of the Executive branch must be held confidential in the public interest. The problem, you see, is as old as the Government itself.

In March of 1792, the House of Representatives adopted a resolution establishing a Committee to inquire into the causes of the failure of the expedition under Major General St. Clair, and empowering that Committee to call for such papers and records as might be necessary to assist the Com-

It was because of such experiences that President Washington felt called upon to refer, in his Farewell Address, to the importance of maintaining the independence of our separate branches of government. Later, President Jefferson refused to allow two members of his cabinet to supply documents at the trial of Aaron Burr. In 1825 President Monroe declined to comply with a request of the House of Representatives to transmit to the House certain documents relating to the conduct of naval officers. In 1833 President Jackson refused to comply with a Senate request that he communicate to it a copy of a paper purporting to have been read by him to the heads of the executive departments relating to the removal of the deposits of public money from the Bank of the United States. In 1886 President Cleveland supported his Attorney General's refusal to comply with a Senate resolution calling for documents and papers relating to the removal of a District Attorney. Similarly, in 1843, a resolution of the House of Representatives called upon the Secretary of War to communicate to the House the reports made to the War Department by Lt. Col. Hitchcock relative to the affairs of the Cherokee Indians, together with all information communicated by him concerning the frauds which he had been charged to investigate. The Secretary of War advised the House that he could not communicate information which Col. Hitchcock had obtained in confidence, because it would be grossly unjust to the persons who had given the information. The House, however, claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of deliberations of the House. President Tyler, in a message

dated January 31, 1843, said in part:

And although information comes through a proper channel to an executive officer, it may often be of a character to forbid its being made public. The officer charged with a confidential inquiry, and who reports its result under the pledge of confidence which his appointment implies, ought not to be exposed individually to the resentment of those whose conduct may be impugned by the information he collects. The knowledge that such is to be the consequence will inevitably prevent the performances of duties of that character, and thus the Government will be deprived of an important means of investigating the conduct of its agents.

President Tyler also declined to comply with a resolution of the House of Representatives which called upon him and the heads of departments to furnish information regarding such members of the 26th and 27th Congresses as had applied for office in the executive branch. In so refusing, President Tyler stated:

Applications for office are in their very nature confidential, and if the reasons assigned for such applications or the names of the applicants were communicated, not only would such implied confidence be wantonly violated, but, in addition, it is quite obvious that a mass of vague, incoherent, and personal matter would be made public at a vast consumption of time, money, and trouble without accomplishing or tending in any manner to accomplish, as it appears to me, any useful object connected with a sound and constitutional administration of the Government in any of its branches.

In my judgment a compliance with the resolution which has been transmitted to me would be a surrender of duties and powers which the Constitution has conferred exclusively on the Executive, and therefore such compliance can not be made by me nor by the heads of Departments by my direction.

These are only a few of the precedents to be found in the constitutional history of our Government; many more could be referred to.

Although I have mentioned only a few of the precedents, I might add that almost every President has found it necessary at some time during his administration to decline, for reasons of public policy, to furnish confidential papers to congressional committees. The courts have recognized this constitutional prerogative of the Chief Executive and the great constitutional scholars uniformly agree that it is for the President to determine what papers and information in the Executive branch must be retained in confidence in the public interest. William Howard Taft, following his term as President and prior to his appointment as Chief Justice, summarized the situation succinctly and accurately when he wrote in his book, The Chief Magistrate:

The President is required by the Constitution from time to time to give to Congress information on the state of the Union, and to recommend for its consideration such measures as he shall judge necessary and expedient, but this does not enable Congress or either House of Congress to elicit from him confidential information which he has acquired for the purpose of enabling him to discharge his constitutional duties, if he does not deem the disclosure of such information prudent or in the public interest.

It is against this background that we must consider President Truman's directive of March 13, 1948, concerning the confidential nature of loyalty files. Against this same background we must consider this Committee's request for the production of such files.

In his directive, the President stated:

The efficient and just administration of the Employee Loyalty Program, under Executive Order No. 9835 of March 21, 1947, requires that reports, records,

and files relative to the program be preserved in strict confidence. This is necessary in the interest of our national security and welfare, to preserve the confidential character and sources of information furnished, and to protect Government personnel against the dissemination of unfounded or disproved allegations. It is necessary also in order to insure the fair and just disposition of loyalty cases.

For these reasons, and in accordance with the long-established policy that reports rendered by the Federal Bureau of Investigation and other investigative agencies of the executive branch are to be regarded as confidential, all reports, records, and files relative to the loyalty of employees or prospective employees (including reports of such investigative agencies), shall be maintained in confidence, and shall not be transmitted or disclosed except as required in the efficient conduct of business.

At the time of issuing this directive, the President specifically referred to some of the precedents that I have mentioned this afternoon and called particular attention to the sound reasons of public policy requiring the maintenance of the confidential status of loyalty files. The President referred to an opinion rendered by Attorney General Jackson at a time when, at the direction of President Roosevelt, he declined to furnish certain reports of the Federal Bureau of Investigation to the House Committee on Naval Affairs, as follows:

Disclosure of the reports could not do otherwise than seriously prejudice law enforcement. Counsel for a defendant or prospective defendant, could have no greater help than to know how much or how little information the Government has, and what witnesses or sources of information it can rely upon. This is exactly what these reports are intended to contain.

Disclosure of the reports at this particular time would also prejudice the national defense and be of aid and comfort to the very subversive elements against which you wish to protect the country. For this reason we have made extraordinary efforts to see that the results of counterespionage activities and intelligence activities of this Department involving those elements are kept within the fewest possible hands. A catalogue of persons under investigation or suspicion, and what we know about them, would be of inestimable service to foreign agencies; and information which could be so used cannot be too closely guarded.

Moreover, disclosure of the reports would be of serious prejudice to the future usefulness of the Federal Bureau of Investigation. As you probably know, much of this information is given in confidence and can only be obtained upon pledge not to disclose its sources. A disclosure of the sources would embarrass informants--sometimes in their employment, sometimes in their social relations, and in extreme cases might even endanger their lives. We regard the keeping of faith with confidential informants as an indispensable condition of future efficiency.

Disclosure of information contained in the reports might also be the grossest kind of injustice to innocent individuals. Investigative reports include leads and suspicions, and sometimes even the statements of malicious or misinformed people. Even though later and more complete reports exonerate the individuals, the use of particular or selected reports might constitute the grossest injustice, and we all know that a correction never catches up with an accusation.

With respect to files which this Committee has requested, their disclosure would, it seems to me, seriously impair the effectiveness of the Employee

Loyalty Program. It would subject the persons in question to a type of double jeopardy which is contrary to sound concepts of good government, fairness, and justice. It would also make it extremely difficult, if not impossible, for the Federal Bureau of Investigation to perform its investigative duties. The Federal Bureau of Investigation conducts all investigations under the Employee Loyalty Program. Loyalty files, therefore, are for all practical purposes F.B.I. files. Mr. Hoover is here to give you his view, which he has held for many years, of the damaging effect that would be caused by the disclosure of such files. I know of no one better qualified to speak on this subject. I am in thorough accord with his views in this regard.

It is my opinion--for the reasons stated--that loyalty and investigative files should be preserved in strict confidence.

April 4, 1950

4485

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121-23278-76

EX-13

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11-11-81 BY 1043

Mr. Richard E. Falconer
553 Bayless Street
Azusa, California

Dear Mr. Falconer:

Your letter dated March 27, 1950, had been received and I do want to thank you for your comments relative to the position I have taken with regard to disclosing information in FBI files.

It occurred to me that you might like to read the enclosed copy of my statement before the Subcommittee of the Senate Committee on Foreign Relations on March 27, 1950.

Sincerely yours,

J. Edgar Hoover

John Edgar Hoover
Director

Enclosure

Report to Subcommittee of Senate Committee,
Foreign Relations, March 27, 1950

FRY:cjh

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Ladd _____
Clegg _____
Glavin _____
Nichols _____
Rosen _____
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APR 6 1950

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HEREIN IS UNCLASSIFIED
EXCEPT WHERE SHOWN
OTHERWISE

Mr. J. Edgar Hoover,
Federal Bureau of Investigation,
Washington, D.C.

Dear Mr. Hoover:

To the many voices congratulating you on your stand in the McCarthy affair, it is a pleasure to add my few words. I am so relieved to know that you have stuck to your guns under heavy pressure that I cannot refrain from some expression, although I am not a prolific letter writer.

It has been my feeling, and the feeling of every one I have discussed this matter with, that McCarthy's unbridled license has already caused sufficient damage. To open your files to such as he would add immeasurably to the anger and dissension already built up. Congratulations, and power to your arm.

Very sincerely yours,

Richard E. Falconer

Richard E. Falconer

553 Bayless Street,
Azusa, Calif.

March 27th, 1950

Mr. Glavin
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Belmont
Mr. Mohr
Tele. Room
Mr. Nease
Miss Gandy

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27

PER. FILES

EX-62

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Post. Sub. Committee on Foreign
Relations